

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.9076 of 2016 (O&M)
Date of Decision: 04.05.2016**

Manjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. D.S.Malwai, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Labh Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Manjit Kaur in case FIR No.106 dated 20.12.2015 for the offences punishable under Sections 420, 120-B of Indian Penal Code (Sections 315 and 316, IPC deleted later on) and Sections 22 & 23 of the P.N.D.T. Act, 2003, registered with Police Station Ahmedgarh, P.S. City-I, Malerkotla, District Sangrur.

The allegation against the present petitioner is that she coaxes and induces innocent pregnant ladies for undertaking ultrasound tests, conducted at the Diagnostic Centres of the co-accused Dr. Hemant Kumar, in order to determine the sex of the foetuses and accordingly aborted them.

It is contended that the petitioner is in custody since 20.12.2015 and after completion of the investigations, challan stands presented and evidence of 39 cited prosecution witnesses is yet to commence. The co-accused Malkiat Singh and Dr. Hemant Kumar have since been enlarged on bail by this Court, vide order dated 11.04.2016.

Learned State Counsel, assisted by HC Labh Singh, is unable to refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the parity of treatment, custody period and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such she is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 04, 2016

Gagan

(JASWANT SINGH)
JUDGE