

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

CRM No.M-9848 of 2016 (O&M)

Date of Decision: July 21, 2016

Harpreet Kaur

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.L.S.Sidhu, Advocate
for the petitioner.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.68 dated 02.03.2016 under Sections 3(3), 3-A, 5(2), 6(B), 23(3) of Pre-conception and Pre-natal Diagnostic Techniques Act, 1994 and Section 120-B IPC, registered at Police Station City Khanna, District Ludhiana.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the allegations in the present case are against the present petitioner as well as her husband. As per the

prosecution version, a decoy patient Smt.Sapna was accompanied by Sh.Dharamveer Sharma, Adolescent Health Counselor as shadow person. One Desraj took the pregnant lady Shivam Hospital, Khanna. ₹10,000/- was handed over by Desraj to Harpreet Kaur, who was at Shivam Hospital. Harpreet Kaur then asked one of the employee Amanpreet Kaur to take her to her residence. Then Harpreet Kaur told Amanpreet Kaur to go back to the hospital and to bring the decoy pregnant lady at her residence. The decoy patient was subjected to ultrasonography by Sohan Singh by using a portable USG Machine in the presence of Harpreet Kaur. Thereafter, the decoy patient was shifted back to Shivam Hospital. From there, Desraj brought back Sapna along with Smt.Krishna Devi and sex of the fetus was disclosed as 'female'.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that the present petitioner is one of the main accused and she is required for custodial interrogation. I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

July 21, 2016
Vgulati

(INDERJIT SINGH)
JUDGE