

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL REVISION APPLICATION NO.554 OF 2015
WITH
CRIMINAL APPLICATION NO.66 OF 2016
IN
CRIMINAL REVISION APPLICATION NO.554 OF 2015**

Kavita Pramod Kamble (Londhe) ... **Applicant**
V/s.

The State of Maharashtra & Anr. ... **Respondents**

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Mr.M.S.Mohite with J.Shekhar i/b. J.Shekhar & Co., Advocate for
the Applicant.

Mr.A.R.Kapadnis, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 30th NOVEMBER 2017.

OPERATIVE ORDER :

For the reasons stated separately, the following Order :

- (i) The revision petition is allowed.
- (ii) Impugned Judgments and Orders passed by the Courts below i.e. Judgment and Order dated 28th February 2014 passed by the learned Judicial Magistrate First Class, Karmala District Solapur in Regular Criminal Case No.318 of 2011 as well as the Judgment and Order dated 25th November 2015 passed by the learned Additional

Sessions Judge, Barshi in Criminal Appeal No.57 of 2014 (Old Criminal Revision Application No.32 of 2014) thereby convicting the revision petitioner/original accused of offences punishable under Section 23 of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2003 for contravention of Section 5(2) and 6, Section 4(3) read with Rule 9(4) and 10(1A) and under Rule 9(8) of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Rules 2003, under Section 5 read with Rule 10, under Rules 19(4), 17(1) and 17(2) of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Rules 2003 and consequently imposing the respective sentences for commission of the said offences; are quashed and set aside.

- (iii) The revision petitioner/accused is acquitted of all offences alleged against her.
- (iv) Her bail bond stands cancelled.
- (v) In view of disposal of the revision petition, pending Criminal Application therein bearing No.66 of 2016 stands disposed of.

(A.M.BADAR J.)