

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-2282-2017

Date of decision : 01.02.2017

Dr. Chander Parkash Malhotra

... Petitioner

Versus

The State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.R.S. Rai, Senior Advocate
with Mr.Karan Pathak, Advocate
for the petitioner.

Mr.Kuldip Tiwari, Addl.A.G.Haryana.

AMOL RATTAN SINGH, J.(ORAL)

Learned senior counsel appearing for the petitioner submits that an offence under the PC & PNDT Act 1994, being registrable only as a complaint, an FIR has been instead registered at Police Station Sector 5 Panchkula, which is not maintainable.

Other than that, he submits that the petitioner was not present at the Ultrasound Centre at the time of occurrence and it was the co-accused who is stated to have conducted the ultrasound test.

Learned State counsel, on instructions, does not dispute the factual position that the petitioner was not present at the time of occurrence and that it was actually the co-accused, Ms.Rishu Sharma, who had conducted the test.

Keeping in view the fact that the petitioner was admittedly not found present at the spot and has been in custody since 15.12.2016, without

commenting upon merits of the actual case, I consider it appropriate to admit the petitioner to bail to the satisfaction of the learned Chief Judicial Magistrate / Duty Magistrate, Panchkula, upon his furnishing adequate bail bonds and surety bonds, subject to complying with all other conditions as would be laid down by that Court.

Disposed of.

(AMOL RATTAN SINGH)
JUDGE

February 01, 2017.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No