

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-25010 of 2017

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Date of decision:25.7.2017

Manmohanpal Sharma

...Petitioner

v.

State of Punjab

...Respondent

....

(2) Criminal Misc. No.M-25435 of 2017

.....

Bhupinder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajbir Singh, Advocate for the petitioner in Cr. Misc.
No.M-25010 of 2017.

Mr. Deepak Sabherwal, Advocate for the petitioner in Cr.
Misc. No.M-25435 of 2017.

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate General,
Punjab for the respondent-State.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions

filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.102 dated 1.6.2017 registered for the offences under Section 18 of Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (hereinafter referred to as 'PNDT Act') and Section 420 IPC at Police Station Model Town, District Ludhiana.

Notice of motion has been issued in these cases.

Mr. Gaurav Garg Dhuriwala, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested these petitions. Police record is also available.

I have heard learned counsel for the petitioners and learned State counsel appearing for the respondent-State and have gone through the record.

As per the prosecution version though the petitioners are not named in the FIR, but co-accused nominated Manmohanpal Sharma and one machine has been recovered from the house of Sanjeev Kumar son of Mulakh Raj. The allegation against Manmohanpal Sharma is that he was operating that machine for conducting sex-determination test of the foetus. It is also submitted that he is not a qualified doctor. As regards Bhupinder Singh-petitioner, it is allegation that after some days co-accused nominated Bhupinder Singh and on raid one ultrasound machine for conducting sex determination test on the foetus was found from his house.

Keeping in view the facts and circumstances of the present cases, I do not find these as fit cases where the present petitioners are entitled to the benefit of anticipatory bail.

Therefore, finding no merit in these petitions, the same are dismissed.

July 25, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No