

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

**CRM-M No.2730 of 2017
Date of Decision: 03.02.2017**

Sharwan Kumar

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Nonish Kumar, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in FIR No.420, dated 18.09.2016, registered under Sections 3, 4, 5, 6, 23, 29 of PNDT Act and 120-B IPC, at Police Station City Tohana, District Fatehabad.

Seeking regular bail for the petitioner, learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on baseless grounds; no further recovery is to be made from the petitioner; challan has already been filed and therefore he is no longer required for any further questioning and that he has been in custody since 25.11.2016. He further submits that the petitioner has been named by co-accused-Ashok Kumar to the effect that he was assisting co-accused Renu in conducting the sex determination tests and such statement, as per settled law, has no evidentiary value since the same has been made by a co-accused. Learned counsel for the petitioner still further submits that the afore-referred Ashok Kumar had approached this Court through

CRM-M No.2363 of 2017 “Ashok Kumar Vs. State of Haryana” for grant of regular bail which has been allowed vide order of this Court 31.01.2017 and that even Renu who had approached this Court through **CRM-M No.1560 of 2017** titled as “Renu Vs. State of Haryana” has been granted the benefit of regular bail by this Court vide order dated 27.01.2017.

In view of the facts as noticed above, without commenting on the merits of the case, it is directed that the petitioner shall be released on regular bail to the satisfaction of the trial Court.

While accepting the surety/bail bonds of the petitioner, the trial Court may consider that the petitioner is not the resident of State of Haryana.

Nothing observed hereinabove shall be considered to be an expression of opinion by this Court on the merits of the case.

February 03, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No