

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

CRL. MISC. No.M-33511 OF 2017
DATE OF DECISION : 15th SEPTEMBER, 2017

Santosh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Lakhwinder Singh Mann, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G. Punjab.

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A. B. CHAUDHARI, J. (Oral)

The petitioner, who is a woman has filed this petition under Section 439 Cr.P.C. seeking Regular bail in FIR No.120 dated 20.08.2017 registered under Section 3(1), 4, 5(1)(a), 6(a), 23 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and 120-B IPC at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

Heard learned counsel for the rival parties.

The petitioner was arrested on 20.08.2017 and is in jail since then. In my opinion, the petitioner should be given chance to be at liberty pending trial, since the trial will take its own time. However, the petitioner has to give undertaking not to indulge in any type of offence and have to pay some costs as well.

Learned counsel for the petitioner makes a statement that the petitioner will file undertaking within two weeks from the date of her

release that she would not indulge in any type of offence and would also submit a copy of the affidavit to the concerned Police Station.

In that view of the matter, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-33511 OF 2017 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate, subject to deposit of costs amount of ₹25,000/- which shall be forfeited to the State.
- (iii) The petitioner shall file an affidavit within two weeks from the date of her release that she will not commit such type of offence again and would also submit a copy of the affidavit to the concerned Police Station as aforesaid.
- (iv) In case of violation of any of the above conditions on the part of the petitioner, the liberty is reserved in favour of the State to apply for cancellation of bail.

15th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*