

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

CRM No.M-45776 of 2016 (O&M)

Date of decision: January 12, 2017

Narender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.C.Yadav, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Narender has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.468 dated 24.10.2016, registered at Police Station Mohindergarh, District Mohindergarh, under Sections 3, 3-A, 3-B, 4, 5, 18, 23, 25 and 29 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and Sections 420 and 120-B of Indian Penal Code.

Notice of motion has been issued in this case.

On the asking of the Court, Mr. Parveen Kumar Aggarwal, Deputy Advocate General, Haryana, has accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record. Police record is also available.

From the record, I find that as per the allegations, the present petitioner took Jyoti etc. in his car. The test to determine the kind of foetus was conducted by some other doctor.

The petitioner has been in custody since 24.10.2016. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

January 12, 2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No