

**CRM-M-8593-2017**

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

**CRM-M-8593-2017**

**Date of Decision: 21.03.2017**

Vidya Devi

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Abhimanyu Singh, Advocate,  
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

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**INDERJIT SINGH, J.**

Petitioner-Vidya Devi has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.62 dated 28.02.2017, registered at Police Station Tosham, District Bhiwani, under Section 420 of the Indian Penal Code and Section 23 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.

Notice of motion was issued. Learned State counsel has put in appearance 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.

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From the record, I find that as per the allegations, the present petitioner took Rs.3,000/- from a decoy patient for giving her a tablet so that she may conceive a male child.

It is argued that the petitioner is 70 years old lady. She is not required for custodial interrogation or interrogation purposes as amount and medicines etc. have already been recovered.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the facts that recovery has already been effected and the petitioner is not required for custodial interrogation, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on anticipatory bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

**21.03.2017**  
parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

**Note:** Whether speaking/reasoned : Yes  
Whether reportable : No