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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M- 20335 of 2018
Date of decision: 03.07.2018

Dr. Mohan **.....Petitioner**

versus

State of Haryana **.....Respondent**

Coram: **Hon'ble Mr. Justice Rajbir Sehrawat**

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Rajbir Sehrawat, J.(Oral)

This is the petition under Section 439 Cr.P.C. for grant of bail pending trail to the petitioner in case FIR No.729 dated 15.12.2017 under Sections 420, 120-B, 465, 471 of IPC, and Sections 4, 5,6 and 23 of PNDT Act registered at Police Station Sadar Bahadurgah, Distt. Jhajjar.

Learned counsel for the petitioner contends that the petitioner is not at all involved in the present case. Although he is in custody since 15.12.2017, yet even the charge has not been framed in this case. He further submits that the co-accused of the petitioner, who is alleged to have actually conducted the ultrasound to determine the sex of the foetus; has already been released on bail pending trial. Counsel further submits that no purpose will be served by keeping the petitioner in custody.

On the other hand learned State counsel; on instructions from SI Joginder Singh; submits that the signed notes obtained by the petitioner as consideration, in the crime, from the decoy witness; were recovered from the table of the petitioner. State counsel further submits that in fact the

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petitioner is involved in arranging the patients for an ultra-sound centre where the pre-natal sex determination test is conducted.

Be that as it may, the fact remains; that the co-accused of the petitioner, including the person who conducted the test and from whom the recovery was effected as well, have already been granted bail. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of Trial subject to furnishing bail bond/surety to the satisfaction of the trial Court/Duty Magistrate.

3rd July, 2018 **[RAJBIR SEHRAWAT]**
Manju **JUDGE**

Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No

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