

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24442-2018 (O&M)
Date of decision: 07.08.2018

Karam Chand and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rajesh Duhan, Advocate
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.24 dated 15.03.2018 under Sections 120-B, 420 IPC and Sections 3(3), 4, 5 (2), 6(b), 18 & 23 of the PNDT Act, registered at Police Station Sadar Ahmedgarh, Sangrur.

On 31.05.2018, following order was passed by this Court: -

“Learned counsel for the petitioners submits that in CRM-M-14367-2018 filed by co-accused Simarjeet Kaur and another, following order has been passed on 23.04.2018: -

“Learned counsel for the petitioners submits that as per the allegations in the FIR, a raid was conducted on 13.03.2018 in the premises of one Malkeet Singh for conducting illegal ultrasound for the purpose of sex determination. At the time of search, said Malkeet Singh was not found present at the

spot and statements of petitioner No.1 Simarjeet Kaur, who is a pregnant lady and her husband-petitioner No.2 Amandeep Singh along with three other persons were recorded, however, no further action was taken and they were allowed to go. Thereafter, the FIR was registered on 15.03.2018. Counsel for the petitioners further submits that even perusal of the FIR shows that at the time of raid, no such act of sex determination was carrying out by aforesaid Malkeet Singh. It is further submitted that admittedly, as per the version given in the FIR, said Malkeet Singh was not present at the spot, therefore, the petitioners have not committed any offence.

Learned State counsel, on instructions from ASI Satbir Singh, submits that the petitioners be directed to joined the investigation.

List again on 07.08.2018.

To be listed along with CRM-M-14367-2018.

In the meantime, petitioners are directed to appear before the Investigating Officer within a period of 10 days to join the investigation and they will be released on interim bail on furnishing bail/surety bonds subject to the following conditions: -

- 1. They shall make themselves available for interrogation by a police officer as and when required;*
- 2. They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. They shall not leave India without previous permission of the Court.”*

Learned State counsel, on instructions from ASI Gurpal Singh, submits that the petitioner has joined the investigation and is no more required

for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 31.05.2018 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

07.08.2018

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[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No