

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-2599-2018

Date of Decision: 29.01.2018

Jitender Dahiya @ Jitu

..... Petitioner

vs.

State of Haryana

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ankur Lal, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J.(ORAL)

Prayer in this petition is for grant of regular bail in case FIR No. 837 dated 21.12.2017 under Sections 23 and 25 of PC & PNDT Act registered at Police Station City Bhiwani, District Bhiwani.

Counsel for the petitioner submits that the allegations against the petitioner are that he alongwith one other person has got USG of decoy patient, namely, Ritu at District Jaipur Diagnostic Centre, Bhadra, District Hanumangarh, Rajasthan.

Counsel for the petitioner further submits that co-accused, namely, Jag Mohan has been granted concession of anticipatory bail vide order dated 16.01.2018 passed in CRM-M-1446-2018 noticing that it will be debatable issue as to whether the registration of the case at Bhiwani was within the jurisdiction of the police where the alleged offence has taken place as the allegations in the FIR are that the decoy patient was taken to a place at Bhadra, District Hanumangarh, Rajasthan. It is further submitted that the petitioner is in judicial lock-up since 21.12.2017 and is no more required for any further custodial interrogation.

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Learned State counsel, on instructions from ASI Gopal Dass, however opposes the prayer of the petitioner on the ground that doctor (s) of Jaipur Diagnostic Centre is yet to be interrogated.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial lock up since 21.12.2017; is not required for further investigation and offences are triable by the Court of Magistrate, the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

29.01.2018
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(ARVIND SINGH SANGWAN)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No