

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

**CRM NO. M-46595 OF 2018
DATE OF DECISION : 26.10.2018**

Deepak Kumar

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

Mr. Surender Singh, AAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed for seeking bail pending trial in FIR No.328 dated 14.09.2018 for the offences punishable under Sections 3, 4, 5 of the Medical Termination of Pregnancy Act, 1971; Sections 315/420/120-B IPC and Section 15 (2) (3) of the Indian Medical Council Act, 1956, registered at Police Station Ladwa, District Kurukshetra.

Learned counsel for the petitioner contends that case against the petitioner is concocted one. The petitioner has been roped in the case only on the basis of alleged disclosure statement of the initially nominated co-accused. It is further submitted by learned counsel that the co-accused earlier named somebody else as the person from whom he had purchased the said medicine and later on he named the petitioner as the person

from whom he purchased the said medicine. It is further contended that the petitioner has no concern with the co-accused. The petitioner is not involved in any kind of medical trade, like selling of medicines, whatsoever. The petitioner is in custody since 20.09.2018. There is no other case against the petitioner.

On the other hand learned State counsel, being instructed by ASI Karambir Singh, does not dispute the fact regarding custody of the petitioner and the fact that nothing has been recovered from the petitioner.

Keeping in view the submissions made by learned counsel for the petitioner, but without commenting any further on the merits of the case, the present petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial, subject to furnishing bail bonds/surety to the satisfaction of the trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

OCTOBER 26, 2018
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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO