

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

CRM-M-49248-2017 (O&M)

Date of decision:06.03.2018

Dr. Ramehar Sheoran

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sandeep Singh Sangwan, Advocate for the petitioner.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.61, dated 09.03.2016, under Sections 3/4 of Medical Termination of Pregnancy Act, 1971 and 4/5/18/23 of Pre-Natal Diagnostic Techniques (Regulations and Prevention of Misuse) Act, 1994 (Section 201 IPC was added later on), registered at Police Station City Dadri, District Bhiwani.

While issuing notice of motion on 29.01.2018, the following order was passed by this Court:

“CRM-2376-2018

Application is allowed as prayed for.

Documents at Annexures P-4 to P-25 are taken on record.

Main Case:

This is the second petition filed under Section 438 Cr.P.C seeking the concession of pre-arrest bail to the petitioner in case FIR No.61 dated 9.3.2016 under sections 3, 4

of Medical Termination of Pregnancy Act, 1971 and sections 4, 5, 18 and 23 of Pre-Natal Diagnostic Techniques (Regulations and Prevention of Misuse) Act, 1994 (section 201 I.P.C was added later on), registered at Police Station, City Dadri, District Bhiwani.

Counsel has adverted to the order dated 30.5.2016, passed by this Court in CRM-M-14515-2016 and in terms of which the concession of pre-arrest bail had been confirmed to the petitioner.

Counsel has also, during the course of hearing, adverted to the zimni orders starting from 6.10.2016 onwards to contend that the petitioner had been duly appearing before the Trial Court and it is only on account of having not appeared on 9.11.2017 that the concession of bail has been canceled and his bail bonds and surety bonds stand forfeited.

It is the contention of the counsel that non-appearance on one solitary date i.e. 9.11.2017 was on account of bonafide reasons and the intent was not to evade the trial proceedings.

Notice of motion, returnable for 6.3.2018.

In the meanwhile, it is directed that in case the petitioner puts in appearance before the Trial Court within a period of 10 days from today, he would be entitled to interim bail subject to satisfaction of the Trial Court."

During the course of hearing today, learned counsel representing the petitioner has furnished a certified copy of the order dated 01.02.2018 and which would reflect that the petitioner has put in appearance before the trial Court and has been admitted to interim bail upon having furnished bail bonds in the sum of Rs.1 lakh with one surety in the like amount.

Certified copy of the order dated 01.02.2018 passed by learned SDJM, Charkhi Dadri is taken on record as Mark 'A'. Petitioner having already joined the trial proceedings, prayer made in the instant petition is

accepted.

Order dated 29.01.2018 passed by this Court is made absolute.

Disposed of.

06.03.2018

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |