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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-864-2019

Date of Decision : April 03, 2019

Amandeep Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Argued by Mr. Satinderpal Singh, Advocate,
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
for respondent-State .

SHEKHER DHAWAN, J.

Present petition under Section 438 of the Code of Criminal Procedure is for pre-arrest bail in case bearing FIR No. 271 dated 12.12.2018 under Section 5(2) of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (for short, "**the Act**") and Sections 420 and 120-B IPC registered at Police Station Sadar, Ludhiana.

2. Learned counsel for the petitioner contended that the petitioner was not apprehended at the spot. She was not named in the spot memo report given by the joint raiding team to the police. The petitioner is not a medical practitioner and she has been falsely implicated in this case. Still she is ready to join the investigation and the petitioner be allowed to join the investigation and released on pre-arrest bail.

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3. Learned State counsel opposed the bail application on the ground that the petitioner is the main accused in this case, who was doing the illegal act of sex determination with the help of her laptop and other equipment. The petitioner is required for the purpose of investigation as the laptop is yet to be recovered. So, her bail application be dismissed.

4. Having considered the submissions made by learned counsel for the parties and appraisal of record of this case file, this Court is of the considered view that during investigation, it had come in the statement of Kiran wife of Puran Chand that Amandeep Kaur (petitioner herein) had used the laptop machine for sex determination and she had absconded alongwith the same. The entire matter requires investigation and presence of the petitioner would be required for the purpose of investigation.

5. No case is made out for release of the petitioner on anticipatory bail. So, the present petition stands dismissed.

(SHEKHER DHAWAN)
JUDGE

April 03, 2019

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Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes