

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

**CRM-M No. 2666 of 2019
Date of Decision:-29.03.2019**

Shivani Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. J.S. Bedi, Sr. Advocate with
Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 1302 dated 30.12.2018, under Sections 3, 4, and 5 of the Medical Termination of Pregnancy Act, 1971, Sections 18-A, 18-B, 18(C), 27(b) (2) (ii) and 28 of Drugs and Cosmetics Act, 1940, Sections 4, 5(1)a, 6(a) and 23 of Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse), Act, 1994 and Sections 114, 315, 511, 201 and 120-B IPC, registered at Police Station Shivaji Nagar, Gurugram.

On 21.1.2019, this Court had passed the following order :-

“Learned senior counsel for the petitioner contends that upon a secret information regarding pre-natal sex determination by Satish whose mobile number

was received by the team, laid the trap. Acting upon this, originally three persons Satish, Devender, Nitin and thereafter Dr. Gopal Krishan were arrested. The petitioner has been indicted in this case on the basis of statements suffered by Dr. Gopal Krishan. He further contends that the said statement may not be admissible in evidence.

Notice of motion for 29.03.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 21.1.2019, the petitioner has joined the investigation.

Learned State counsel on instructions from S.I. Dharambir submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 21.1.2019, is made absolute.

The petition stands allowed.

March 29, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No