

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10345-2019

Date of Decision: 12.03.2019

Raj Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. C.M. Munjal, Advocate for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Raj Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.601 dated 04.11.2018, registered at Police Station Ratia, District Fatehabad, under Sections 3, 3A, 3B, 4, 5, 6, 18, 23, 24, 26, 27, 28 and 29 of the PNDDT Act and Sections 419, 420, 120-B of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

In the present case, the FIR has been registered on the basis of secret information that a gang of persons involved in the medical determination of pregnancy and the name of wife of the present petitioner has been mentioned along with the present petitioner in the FIR. As per the prosecution version, the wife of the present petitioner, namely, Rajni @

Mansi, who has given the statement that she was compelled by her husband for this determination. On the other hand, learned counsel for the petitioner states that this FIR has been got registered falsely. His wife Rajni @ Mansi is residing with him and she has given the affidavit that the police official has obtained her signatures on the blank papers.

In pursuance of the interim order dated 07.03.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 07.03.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

12.03.2019

*Jasmine Kaur***(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
No