

Crl. Misc. No. M-50742 of 2019

Date of Decision: November 29, 2019

Kamlesh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Jasmeet Singh Bhatia, Advocate
for the petitioner

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Sudhir Mittal, J. (Oral)

The petitioner is an accused in FIR No. 431 dated 05.11.2019 registered at Police Station Civil Line, Jind and the allegations against her are of committing offences under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971.

According to the FIR, a girl named Ravina went to the petitioner for getting her pregnancy terminated and daughter in law of the petitioner gave her a pill for internal use. Thereafter, the petitioner referred her for an ultra sound test.

Learned counsel for the petitioner submits that from a bare perusal of the allegations of the FIR no offence under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971 is made out as no termination of pregnancy actually took place. The FIR itself states that termination of pregnancy took place at a later date and that the procedure was done by some other doctor. The medication was administered by daughter in law of the petitioner and the petitioner is not involved in any manner and, thus, she deserves to be granted anticipatory bail. It is also submitted that she is an old lady aged about 71 years.

Having heard learned counsel for the petitioner and having gone through the contents of the FIR, I am not convinced with the arguments raised by

learned counsel for the petitioner. The FIR itself recites that on raid being conducted at a later date a large number of medicines were recovered from the residence of the petitioner which could be utilized for termination of pregnancy. Illegal termination of pregnancy is a social evil, which has to be checked with an iron hand. Whether any offence under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971 is made out or not is not for me to opine at this stage. The trial Court would decide the same. Under the circumstances, no case is made out for grant of anticipatory bail.

The petition is, accordingly, dismissed.

November 29, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No