

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

106

Crl. Misc.No.M-21635 of 2020

Date of Decision:- 28.08.2020

Darshana Devi

....Petitioner

vs.

State of Punjab

....Respondent

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Kunwar Rajan, Advocate,
for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner seeks anticipatory bail in FIR No.13 dated 25.01.2018 registered at Police Station Lambi, District Sri Muktsar Sahib, under Sections 313 and 314 of the Indian Penal Code, 1860.

According to the FIR, the petitioner allegedly did an unlawful abortion of the foetus of the sister of the complainant resulting in her death.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated. The alleged incident is dated 18.1.2018 and sister of complainant died on 24.1.2018. Her ultrasound report dated 23.10.2017 annexed as Annexure P-5 falsifies the case as the same records history of abortion few days back. Abortion actually took place few days before 23.10.2017 and the present story has been concocted.

I am unable to accept the submission of learned counsel for the petitioner as document Annexure P-3 placed on record herein shows that a dead foetus was detected in the deceased on 24.1.2018 i.e. the date she was admitted to Adesh Institute of Medical Science and Research, Bathinda. She

died on 24.1.2018 itself due to cardiac arrest and this record fully supports the case of the prosecution.

For the aforementioned reasons, I do not find any ground to grant the discretionary relief of anticipatory bail.

The petition is dismissed.

August 28, 2020
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No