

CRM-M-4938-2021

Date of Decision: 13.08.2021

Meena Rani

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rakesh Gupta, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 181 dated 23.10.2020, registered at Police Station Urban Estate, District Patiala, for the alleged commission of offences punishable under the provisions of Sections 3/5/6/18/24/29 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse), Act, 1994, Sections 420/308/120-B of the IPC and Sections 27 (b) (ii)/28-A of the Drugs and Cosmetics Act, 1940 (with Section 308 of the IPC and Sections 27 (b) (ii) and 28-A of the Drugs and Cosmetics Act, 1940 having been deleted later).

A reply has been filed thereto by way of an affidavit of the Deputy Superintendent of Police, City-II, Patiala, dated 08.02.2021, which is ordered to be taken on record.

Other than giving the details of the case against the petitioner as regards the FIR in question, the details of four others FIR registered against

her have also been given, three of which are also under the provisions of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse), Act, 1994.

However, it has been stated that in fact cancellation reports were eventually filed in all four cases registered earlier against the petitioner.

Upon query to learned State counsel, he submits that though the report under the provisions of Sections 173 (2) of the Cr.P.C. has been submitted to the competent court on 21.12.2020, the charges are still to be framed with the trial not progressing obviously due to the ongoing pandemic.

The petitioner is stated to have been in custody for 09 months and 18 days.

Since the maximum punishment awardable under the PC & PNDT, Act, 1994, is stated to be 03 years rigorous imprisonment as a first conviction as also the fact that the trial is likely to take long as yet, the petition is allowed. The petitioner shall be admitted to bail upon her furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Duty Magistrate/Chief Judicial Magistrate concerned.

August 13, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No.