

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9572-2021 (O&M)
Date of Decision: March 01, 2021

Sunita Gulia

... Petitioner

VERSUS

State of Haryana

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Rajat Mor, Advocate
for the petitioner.

JAISHREE THAKUR, J.(Oral)

1. This is a petition filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in FIR No. 11 dated 12.01.2021 under Sections 420, 353, 120-B IPC and Sections 3(1), 3(2), 3(3), 4, 5 (2), 6(a), 6 (b), 6(c), 23 of The Pre-Conception and Pre-Natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act, 1994 and Section 15(2)(B) of Indian Medical Council Act, 1956 registered at Police Station Badli, Bahadurgarh, District Jhajjar.

2. Learned counsel for the petitioner herein would *inter-alia* contend that the petitioner has been falsely implicated in the case and a reading of the FIR would reveal that it was Dr. Manjit Saini, who was allegedly running a clinic at Jhajjar and took the money from decoy patient

while further contending that the petitioner had no concern with having accepted the money to the tune of Rs. 60,000/- towards sex determination test of the decoy patient, nor she is connected with the said clinic in any manner. It is also argued that any conversation on the phone that took place does not belong to the petitioner.

3. Notice of motion.

4. Mr. P.P.Chahar, DAG, Haryana accepts notice on behalf of the respondent-State and opposes the grant of anticipatory bail to the petitioner while submitting that the allegations as set out in the FIR are based on a call detail apart from the fact that the petitioner herein has been mentioned very specifically in the FIR as a person who along with Mr. Manjit Saini, was instrumental in starting the chain of sex termination test which ultimately culminated in a decoy being produced for the said test. He further argues that anticipatory bail petition of co-accused Mohd. Vasim Khan has already been dismissed by this Court in CRM-M-8412-2021 on 23.02.2021. He also contends that the custodial interrogation of the petitioner is required so she is not entitled for concession of anticipatory bail.

5. Faced with this, learned counsel for the petitioner seeks to withdraw the present petition, with liberty to surrender before the Court at Jhajjar and prays that on her surrendering, the bail application of the petitioner be decided at the earliest.

6. The petition is accordingly dismissed as withdrawn. In case the petitioner herein surrenders before the Court concerned on or before

06.03.2021 and moves application for regular bail, the same may be considered as expeditiously as possible.

7. Any observation made herein would have no bearing on the merits of the case and is restricted for considering the anticipatory bail application only.

March 01, 2021

(JAISHREE THAKUR)
JUDGE

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Whether speaking/reasoned	Yes
Whether reportable	No