

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

**CRM-M No.15773 of 2021
Date of Decision:13.07.2021**

**PARMOD KUMAR
Vs
STATE OF HARYANA**

**.....Petitioner
.....Respondent**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Ms. Mehak Sawhney, Advocate for
Mr. Naveen Sharma Bhardwaj, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.657 dated 28.11.2017 registered under Sections 23, 25, 4, 5(2) Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse)Act 1994, (In Short PNDT Act, 1994), 15(2)(B) of Indian Medical Council Act, 1956 (In Short IMC Act, 1956) and 420 IPC (Challan presented under Section 4(4), 5(2), 23, 25 of PC&PNDT Act, 1994, Section 15(2)(3) of the IMC Act, 1956 and Section 419, 420, 120-B of IPC) at Police Station city Mahendargarh.

On 09.04.2021, following order was passed by this
Court:-

“The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that the FIR is silent with regard to the role of the petitioner. The petitioner was nominated in the second disclosure statement of Sunil Kumar, who was arrested. It has been alleged that the petitioner was actively involved in the entire process and has also received an amount of Rs.4,000/-. The reply of the State further indicated that although out of total amount of Rs.24,000/-, an amount of Rs.20,000/- could be recovered from Sunil Kumar and an amount of Rs.4,000/- could be recovered from the petitioner. The petitioner allegedly brought the sex determination machine. Co-accused Sunil Kumar has already been granted regular bail by the Additional Sessions Judge, Narnaul by observing that it is not the case of prosecution that Sunil Kumar had used any such techniques in detection of gender of fetus of Savita, rather according to prosecution, the determination machine used by Sunil Kumar was a simple monitor of computer and Sunil Kumar did not use any technique for detecting the gender of the fetus, but simply cheated the decoy patient by using an ordinary monitor.

Notice of motion for 13.07.2021.

In the meanwhile, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 16.04.2021 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, on his furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Nothing expressed hereinabove shall be

*construed to be an opinion on the merits of the case.
The case shall be decided on merits on the adjourned
date.”*

Learned counsel for the petitioner submitted that in compliance of order dated 09.04.2021, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from SI Ramanand admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 09.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

13.07.2021

Amandeep

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No