

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

CRM-M-18899-2021 (O&M)
Date of decision: 15.07.2021

Naveen Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 120 dated 08.04.2021, registered under Sections 120-B, 419, 420 IPC, Sections 5, 6 of the Pre-concept and Pre-Natal Diagnosis Techniques Act, 1994 (not mentioned in the FIR, as it was not updated in the CCTNS Software), at Police Station City Jhajjar, District Jhajjar.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. The petitioner is a graduate and working as a Dance and Music Teacher. The petitioner has been awarded several awards/certificates for his active participation in various social and cultural events. The petitioner was called by the police and during inquiry, nothing was found against him and thus, he was exonerated by the police at

one stage. It is further submitted that the petitioner is a person of impeccable antecedents, and that there being no attribution to the petitioner in the FIR, his custodial interrogation is not required.

Learned State counsel, while advertng to the reply dated 31.05.2021 file by the Deputy Superintendent of Police, City Jhajjar, District Jhajjar, submits that accused Dharmender @ Sonu as well as Sudhir @ Jitesh, in their disclosure statements stated that out of the money received from the decoy pregnant customer, Rs. 4500/- had been given to the petitioner as his share.

I have heard the learned counsel for the parties and have gone through the documents available on record.

It is a case, in which the petitioner had connived with the other co-accused in getting the pre-natal test of the decoy customer, for determination of the sex of feotus. The raiding party had apprehended the petitioner and his co-accused, while committing the crime. Moreover, the petitioner has specifically been named in the disclosure statements of the co-accused. The crime committed by the petitioner and his co-accused shattering the very foundation of the feotus in the womb, no ground for grant of anticipatory bail is made out. Thus, the petitioner is required for his custodial interrogation.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

15.07.2021
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No