

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

PARVEEN SHARMA  
2021.09.20 15:37  
I attest to the accuracy and  
integrity of this document  
High Court Chandigarh

**CRM-M-22510-2021**

**Date of Decision: 20.09.2021**

Deepak

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present : Mr. Sumit Sangwan, Advocate  
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana  
for the respondent-State.

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**AVNEESH JHINGAN , J.(Oral)**

1. Due to COVID-19 situation, the Court is convened through video conference.

2. This petition under Section 439 of the Code of Criminal Procedure is filed seeking regular bail in FIR No. 0031 dated 13.02.2021 under Sections 23, 4, 5(2), 6(a) of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (for short PNDT Act) and Section 120-B, 420 of Indian Penal Code 1860 (later on Section 201 IPC added and Sections 4, 5(2), 6(a) of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 deleted during investigation) registered at Police Station Dadri City, District Charkhi Dadri.

3. The brief facts are that a trap was laid on receiving an information that Pre-Natal Diagnostic test were being conducted to

determine the Sex of the fetus. Ms. Reena of village Baliyal, a decoy customer was there and also the shadow witnesses. As per the allegations, the petitioner had received the amount for getting the test conducted of decoy customer. He gave account number of his colleague who was also named Dr. Deepak, the amount was deposited in the account. As per the case set up, there is material on record that the amount was being deposited in Dr. Deepak's account on instructions from the petitioner-Dr. Deepak.

4. Learned counsel for the petitioner submits that petitioner is in custody since 16.03.2021. Investigation is complete, three co-accused were granted bail.

5. Learned State counsel opposes the prayer for grant of regular bail. She submits that there is enough evidence against the petitioner. He was a person who received the amount for conducting ultrasound.

6. Petitioner is in custody for almost six month. No recovery is to be made. Challan stands presented. Considering the fact that co-accused have been granted bail, no useful purpose would be served by keeping him behind the bars. The petitioner is granted regular bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

**(AVNEESH JHINGAN )**  
**JUDGE**

**20.09.2021**  
*Parveen Sharma*

|                           |        |
|---------------------------|--------|
| Whether reasoned/speaking | Yes/No |
| Whether reportable        | Yes/No |