

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

CRM-M No.41985 of 2021

Date of Decision : October 11, 2021

Rohit

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Deepak K. Bartia, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking regular bail in FIR No.859 dated 10.09.2021 registered under Sections 31, 34 of the Indian Penal Code, 1860 at Police Station Sadar Karnal, later on Section 34 IPC deleted and Sections 120-B, 201, 420, 467, 468, 471 of the IPC, Section 18, 27 of Drugs Act, Section 15(2), 15(3) of the IMCA Act, 1956 and Section 4 & 5 of MTP Act added.

Learned counsel for the petitioner submits that the petitioner is involved in the present FIR only on the basis of disclosure statement of co-accused, who is alleged to have illegally terminated the pregnancy. Learned counsel for the petitioner further submits that the petitioner was not named in the FIR and therefore, the petitioner be granted the benefit of regular bail.

Learned counsel for the State submits that the petitioner though was not named in the FIR by the complainant but the Doctor had

named him in the disclosure statement for disposing fetus, which is a serious allegation.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The petitioner was not named in the FIR and has only been involved on the basis of the disclosure statement of the co-accused. Said disclosure statement of the co-accused involving the petitioner is yet to be proved during the trial, hence, keeping in view the fact that the petitioner is a young person, and has undertaken before this Court that he will not influence trial or the witnesses, in any manner, no useful purpose will be served in keeping the petitioner behind the bars. In case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

October 11, 2021
rittu

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No