

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

CRM-M-2664 of 2022

DECIDED ON: 1st February, 2022

Sachin Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Pratham Sethi, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

AVNEESH JHINGAN, J (ORAL)

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

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in case of FIR No.812 dated 22.12.2021, under Sections 420, 120-B IPC, 1860 and Sections 23, 25, 3A, 5(1)(a) and 6(a) of Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse), Act, 1994, registered at Police Station Civil Lines Karnal, District Karnal.

Acting upon a secret information with regard to racket being run to determine sex of foetus, raiding party was constituted along with a decoy customer. As a result of raid, Nadeem, Balister and Rajnish were apprehended. They named Akshay Kumar who further disclosed the name of Sachin Kumar (petitioner). The role attributed to the petitioner is that he took the decoy customer on a motor cycle, conducted the ultra-sound and dropped her back.

Learned counsel for the petitioner submits that he was not named initially by the three co-accused apprehended and his name came in disclosure statement of Akshay Kumar. He further submits that the decoy customer never

Learned State counsel opposes the prayer for grant of anticipatory bail and submits that a full fledged chain was formed, each of the link of the chain had a specific role defined. The chain started from arranging the customer and continued till conducting of the ultrasound for pre-natal sex determination.

There is no dispute that the petitioner was neither named in the FIR nor by the three co-accused apprehended initially. In cases of such nature, it is not possible that each of the accused would be named in the FIR or every accused would be aware of other active participant in the chain. The allegations against the petitioner are serious. He is the person who allegedly conducted the ultrasound. As per the instructions of State counsel, petitioner is involved in three other cases, one being of similar nature as the present case.

For deeper probe and to unearth the *modus-operandi*, it is a case where custodial interrogation is required.

No ground is made out for grant of anticipatory bail.

Dismissed.

1st February, 2022

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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>