

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-45250-2022

Date of decision : 31.10.2022

Dr.Reena Shokeen

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.S.P. Arora, Advocate
for the petitioner.

Mr.Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.0349 dated 16.09.2022 registered under Sections 3, 4, 5 of the Medical Termination of Pregnancy Act, 1971, 23, 3B, 4, 5 (1)(a), 5(1)(b), 6(a) 6(b) 6(c) of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, 15(2)(b) Indian Medical Council Act, Section 120-B IPC at Police Station Barauda, District Sonipat.

On 29.09.2022, this Court was pleased to pass the following order:-

“Inter alia, contends that the petitioner is a reputed Doctor having B.A.M.S. Degree and is also registered with the Medical Council of India and even as per the prosecution case, at the time when the team had raided the place, the present petitioner was not found there and it was one Sandeep who was present from whom the recovery of Rs.40,000/- has been effected. It is submitted that no money has been recovered from the present petitioner and on 16.09.2022, a raid had been conducted at the hospital of the present petitioner and nothing incriminating, much less, pregnancy terminating kit was recovered from the present petitioner. It is also

submitted that the petitioner is not involved in any other case and the petitioner has a minor son of three years and is ready to cooperate with the investigation.

Notice of motion for 31.10.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

September 29, 2022

*(VIKAS BAHL)
JUDGE ”*

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Krishan, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 29.09.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 29.09.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

**(VIKAS BAHL)
JUDGE**

October 31, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No