

2023:PHHC:055021

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

CRM-M-17210-2023 (O&M)

Date of Decision: 19.04.2023

ARCHANA RANI

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Isha Goyal, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG Haryana.

DEEPAK MANCHANDA J.

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 56 dated 23.01.2023, registered under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971, Section 18-A of the Drugs and Cosmetics Act and Section 315 and 201 (added later on) of the Indian Penal Code at Police Station Sector-58, District Faridabad.

As per allegations, petitioner along with 2 other persons was involved in the illegal termination of pregnancy.

Learned counsel for the petitioner contends that petitioner is a well qualified doctor having been registered with the Medical Council since the year 1995 and for the past 28 years has an unblemished record in practice. It is further contended that investigation of the case is complete and challan already stands presented. Learned counsel further contends that son of the petitioner who has allegedly taken money from one lady Lakshmi has been granted the concession of anticipatory bail by the trial Court vide order dated 10.02.2023 (Annexure P-6) and the said order was confirmed vide order dated 27.02.2023 (Annexure P-7). She further submits that petitioner is in custody since

23.01.2023, the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigation Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature but does not dispute the fact that challan stands presented on 14.03.2023.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 23.01.2023.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, she would hamper the course of free and fair trial, the investigation is complete and the challan also stands presented and since conclusion of trial would take sufficient time, so no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned, if not required in any other case.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

19.04.2023
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No