

(103)

2023:PHHC:092606

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35074 of 2023

Date of Decision: July 21, 2023

Sonu ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Jitender K. Sehrawat, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 438 Cr.P.C, petitioner prays for grant of anticipatory bail in case FIR No.504 dated 01.07.2023 registered under Sections 420, 120-B, 34 IPC and Section 23 of PC and PNDT Act, at Police Station City Hisar, District Hisar, Haryana.

As per prosecution allegations, petitioner along with co-accused participated in the crime pertaining to sex determination. It is contended by learned counsel that a false story has been concocted against the petitioner and co-accused; that petitioner was not present at the spot when raid was conducted; that he is neither an employee of the hospital nor has any concern with the same; that no recovery is to be effected from him and that an amount of ₹32,500/- has already been recovered from co-accused Sonu.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of the respondent- State.

Learned State Counsel has strongly opposed the petition by

submitting that the petitioner was a Member of the Gang along with Dr. Rajan Thakral, Pawan Chahal, Ramesh and some other persons, who indulged in illegal sex determination test of the pregnant ladies. It is the petitioner, and co-accused Ramesh, who received ₹82,000/- from the decoy patient for sex determination test, out of which said petitioner and co-accused kept ₹32,500/- and returned the remaining amount by saying that it was to be paid to the other persons who had to take the ultra-sound test.

Having regard to the afore-said facts and circumstances of the case, but without commenting anything on the merits of the case, no case for anticipatory bail is made out.

Dismissed.

July 21, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No