

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

Sr. No.219

CRM-M-59185-2022

Date of decision : 19.01.2023

Geeta @ Koki

.....Petitioner(s)

Versus

State of Haryana

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr.Narender Kaajla, Advocate for the petitioner

Ms.Aditi Girdhar, AAG, Haryana

AMAN CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.566 dated 28.07.2022, registered under Sections 4, 4(4), 5, 5(2), 6(a), 6(b), 29 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and Sections 420, 120-B, 34 IPC at Police Station City Hansi, Hisar.

Learned counsel submits that the petitioner has been in custody since 27.07.2022. Co-accused Poonam has been granted regular bail by this Court vide order dated 21.11.2022, while dismissing the anticipatory bail of Dr.Urmil Dhattarwal, who was alleged to be present at the time of conduct of raid, whereafter she was not arrested. Co-accused Jasbir Kaur has also been granted regular bail by the Court of Additional Sessions Judge vide order dated 01.12.2022. After completion of investigation, final report under Section 173 Cr.P.C. has been presented in the Court but charges have not been framed and in all there are 14 witnesses. She is not involved in any other case of similar nature.

On the other hand, learned State counsel opposes the prayer of the petitioner on the ground that recovery of Rs.38,000/- was effected from her and the allegation against her is of a mediator. She is however, unable

to controvert the submissions made by the learned counsel for the petitioner.

Heard.

Keeping in view the facts and circumstances of the case, in particular that the petitioner has been in custody since 27.07.2022; co-accused, Poonam and Jasbir Kaur have already been granted bail; though challan has been presented but charges have not been framed as yet; there are a total of 19 PWs; conclusion of the trial will take a considerable time, her further detention behind the bars would not serve any useful purpose, thus, the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to her not being required in any other case. The petitioner shall abide by the following conditions:-

1. The petitioner will not tamper with the evidence during the trial.
2. The petitioner will not pressurise/ intimidate the prosecution witnesses.
3. The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall surrender her passport, if any, and will not leave the country without the permission of the Trial Court.
5. The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which she is suspected of.
6. The petitioner shall not directly or indirectly coerce, inducement, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
7. The petitioner shall not in any manner misuse her liberty.
8. The petitioner will furnish correct mobile number and residential address and shall not change the same without prior intimation to the trial Court.

It is made abundantly clear that in case of breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail

as granted to the petitioner by this order.

Nothing stated hereinabove be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made above, which have only been made for the purpose of adjudicating the present petition for grant of regular bail.

19.01.2023
gsv

(AMAN CHAUDHARY)
JUDGE

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