

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

CRM-M-13495-2018  
Date of Decision:-13.01.2023

Dr. Ravinder Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

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**Argued by :-**

Mr. Kewal Singh, Advocate  
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

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**KARAMJIT SINGH, J.**

The present petition has been filed by the petitioner seeking quashing of FIR No.408 dated 27.4.2017 registered under Section 23 of Preconception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 (in short 'PC&PNDT Act') at Police Station City Gurugram (Annexure P-1) and consequential proceedings arising therefrom and quashing of complaint No.7372/2018 dated 8.2.2018 having registration No.40/18 dated 14.2.2018 (Annexure P-4) filed by District Appropriate

Authority Gurugram, under Sections 3-A, 4, 5, 6, 29 Rule 9 and Rule 10 of the PC&PNDT Act.

The FIR in the present case was lodged at the instance of Dr. Neelam Thapar, Dy. Civil Surgeon-cum-PNDT, Nodal Officer, Gurugram. As per the allegations unfolded in the FIR, Civil Surgeon-cum-Chairman District Appropriate Authority, Rewari received a secret information on 26.4.2017 to the effect that racket regarding illegal sex determination was being run. Upon receipt of said information, Civil Surgeon, Rewari constituted a four member team comprising of the following members:-

- i. Dr. Lal Singh, Deputy Civil Surgeon-cum-PNDT Nodal Officer, Rewari.
- ii. Dr. Bhanwar Singh, Deputy Civil Surgeon, Rewari.
- iii. Dr. Hemant Grover, Drugs Control Officer, Rewari
- iv. Smt. Sunita Yadav, District Asha Coordinator

The team so appointed, collected information to the effect that Dhanpati wife of Rattan Lal resident of Baas Dudha used to get sex determination test conducted in an illegal manner. A pregnant lady namely Indu wife of Joginder was associated as a decoy, while lady police official namely ASI Usha was to act as a shadow witness and they were sent to Dhanpati, while other members of the team remained waiting at nearby temple. A deal for sex determination test was struck with Dhanpati for an amount of `15,000/- and she asked Indu (decoy) to come at about 8 a.m. on the next day for medical termination of pregnancy. As per the deal on the next day i.e. 27.4.2017, the team members gave Indu (decoy) `15,000/- to be paid by her to Dhanpati as and when demanded by her. The team members along with police officials, Urmila (Asha worker) and Indu (decoy) left for

Kund barrier in three different vehicles. On reaching Kund barrier, Dhanpati met Indu, Urmila and Usha and sat in their vehicle and asked them to move towards bus stand Gurugram via Pataudi. The said vehicle was followed by the other members of the team. That on the way Dhanpati asked for `15,000/- and the same were given to her by Indu. After reaching bus stand Gurugram, Dhanpati talked with someone on mobile phone and then Anju (Nurse) came there and met Dhanpati. Dhanpati introduced Anju to Indu (decoy) and Urmila. Then Anju told Dhanpati that only Indu would be taken to the concerned doctor to conduct ultra sound examination for the purpose of sex determination. Then Dhanpati handed over some amount to Anju out of aforesaid `15,000/-. Then Anju took Indu along with her in a three-wheeler to Divine Diagnostic Centre, 586/10 New Railway Road, Bhim Nagar Gurugram for ultra sound examination of Indu. The team constituted by Civil Surgeon-cum-District Appropriate Authority, Rewari and police officials followed the auto in which Anju and Indu were travelling. On reaching the aforesaid diagnostic centre, Anju and Indu went inside the said clinic while the aforesaid raiding team and police officials kept waiting for them near the diagnostic centre. After sometime, Anju along with Indu came out to the said diagnostic center and immediately both of them were apprehended by the members of the aforesaid raiding team and police officials. Indu disclosed to the raiding team that she was taken inside diagnostic centre by Anju and there the present petitioner conducted her kidney urinary bladder (KUB) ultra-sonography (USG) in his chamber. On personal search of Anju `8,000/- were recovered and she also got recovered `2,000/- from the reception counter of diagnostic centre. All the said

currency notes were the same, which were given to Indu (decoy) by the raiding team for its payment to Dhanpati as and when she demanded. Ultra-sonography report of Indu was also recovered from accused Anju, the same was bearing USG KUB's Sr. No.10 dated 27.4.2017 having patient ID 7042710 and bearing signatures of doctor Ravinder Kumar (petitioner). The said report was taken into custody by the members of the raiding team. In the meantime Dhanpati was also brought to the said diagnostic center and on her personal search by lady police official, ₹4,500/- were recovered. The said currency notes were the same currency notes which were given to Indu (decoy) for its payment to Dhanpati. All the aforesaid recovered articles, currency notes and ultrasound machine Voluson P-8 model, made GE which was used by the petitioner for conducting aforesaid ultrasound examination, were converted into sealed parcels and taken into possession. In the meantime, information was given by the raiding team of Rewari to the concerned authorities of District Gurugram. Team of Health Officials from Gurugram, comprised of (i). Dr. Neelam Thapar, Deputy Civil Surgeon, Gurugram; (ii). Amandeep Chauhan, Drugs Control Officer, Gurugram; (iii). Shyam Sunder, Secretary, Red Cross, Gurugram reached the spot. The raiding team of Rewari apprised the facts and circumstances of the case to the raiding team of Gurugram and handed over all the aforesaid sealed articles along with original documents to the raiding team of Gurugram. Then the raiding team of Gurugram took all the sealed articles and documents in its custody vide separate seizure memo, which was prepared at the spot. On receiving the information the police officials of Gurugram also reached at

the spot, FIR Annexure P-1 was registered. Petitioner-Dr. Ravinder Kumar, Dhanpati and Anju were arrested at the spot by the local police.

After completion of investigation, police presented report under Section 173 Cr.P.C. Complaint (Annexure P-4) was also lodged on behalf of District Appropriate Authority, Gurugram in the Court of Chief Judicial Magistrate, Gurugram for prosecution of the petitioner and other accused persons under PC&PNDT Act.

The learned counsel for the petitioner while challenging the impugned FIR (Annexure P-1) and complaint (Annexure P-4) has contended that the team which raided the diagnostic centre of the petitioner situated in Gurugram, was from District Rewari. The said raiding team was having no jurisdiction to raid the diagnostic center, which was situated outside its jurisdiction. The counsel for the petitioner further contended that before conducting the alleged raid by the raiding team belonging to Rewari, the local authorities of Gurugram were not taken into confidence and as such the entire proceedings stand vitiated.

The counsel for the petitioner has further submitted that Section 2(a) of the PC&PNDT Act, 1994 defines 'Appropriate Authority' while Section 17 of the said Act deals with constitution and nomenclature of the 'Appropriate Authority'. That as per the aforesaid statutory provisions 'Appropriate Authority' consists of the following three members:-

- i. an Officer of or above the rank of Joint Director, Health and Family Welfare-Chairperson.
  - ii. An eminent woman representing women's organization;
- and

- iii. An Officer of the Law Department of the State or the Union Territory concerned.

The counsel for the petitioner has further contented that the police was having no jurisdiction to investigate the matter as Section 28 of PC&PNDT Act, provides that no Court shall take cognizance of an offence under this Act except on a complaint made by the 'Appropriate Authority' concerned. The counsel for the petitioner has further contended that in the instant case the complaint was lodged only by Dr. Sarayu Sharma, Deputy Civil Surgeon-cum-PNDT Nodal Officer, Gurugram and thus the same was not filed by the 'Appropriate Authority' which is required to be multi-member body in conformity with the provisions of PC&PNDT Act, and on this sole ground the complaint (Annexure P-4) deserves to be quashed. In support of his arguments, the counsel for the petitioner has referred to judgments of the Coordinate Bench of this Court dated **24.2.2020** in **CRM-M-18417-2018** titled as **Dr. Anil Bansal vs. District Appropriate Authority, Gurugram** and dated 3.6.2016 in **CRM-M-21764-2015** titled as **Dr. Ritu Prabhakar and another vs. State of Haryana and another**.

The counsel for the petitioner has further contended that Section 30 of PC&PNDT Act read with Rule 12 of Rules of 1996 provides procedure for search and seizure. That in the instant case the proper procedure provided under the statute was not followed by the raiding team of Rewari, which provides that the list of seized documents and other material objects is to be prepared in duplicate at the spot and both copies of such list shall be signed on each page by the 'Appropriate Authority' or the Officer authorized in this behalf and by the witnesses of the seizure and one copy of the said list

shall be handed over to the person from whose custody the documents, record and any other material object has been seized. The counsel for the petitioner has further argued that in the instant case no such copy of the list was provided to the person from whose custody the above said documents/articles were seized by the members of the raiding team.

The counsel for the petitioner has further argued that all the aforesaid contentions based on factual matrix are not refuted by the State in its written reply dated 13.7.2018, which was filed by way of affidavit of Rajiv Kumar, Assistant Commissioner of Police, City Gurugram.

Per contra, the State counsel submitted that at this stage no interference is warranted by this Court as the police has presented the challan and complaint as per requirement of Section 28 of PC&PNDT Act is also filed, by the competent officer, duly authorized to do so. It is further argued that the petitioner has violated the provisions of PC&PNDT Act as he was found conducting sex determination test in an illegal manner and the ultra sound machine used for that purpose was also seized and the petitioner was arrested at the spot.

I have considered the submissions made by counsel for the parties.

The Statutory provisions of PC&PNDT Act which are relevant for deciding the matter in controversy are reproduced here as under:-

**Section 2(a)- "Appropriate Authority"** means the Appropriate Authority appointed under section 17;

**Section 17-Appropriate Authority and Advisory Committee.**

[\(1\)](#) *The Central Government shall appoint, by notification in the Official Gazette, one or more Appropriate Authorities for each of the Union territories for the purposes of this Act.*

[\(2\)](#) *The State Government shall appoint, by notification in the Official Gazette, one or more Appropriate Authorities for the whole or part of the State for the purposes of this Act having regard to the intensity of the problem of pre-natal sex determination leading to female foeticide.*

[\(3\)](#) *The officers appointed as Appropriate Authorities under sub-section (1) or sub-section (2) shall be,—*

*[[\(a\)](#) when appointed for the whole of the State or the Union territory, consisting of the following three members:—*

*[\(i\)](#) an officer of or above the rank of the Joint Director of Health and Family Welfare—Chairperson;*

*[\(ii\)](#) an eminent woman representing women's organisation; and\*

*[\(iii\)](#) an officer of Law Department of the State or the Union territory concerned: Provided that it shall be the duty of the State or the Union territory concerned to constitute multi-member State or Union territory level Appropriate Authority within three months of the coming into force of the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002: Provided further that any vacancy occurring therein shall be filled within three months of the occurrence;]*

*[\(b\)](#) when appointed for any part of the State or the Union territory, of such other rank as the State Government or the Central Government, as the case may be, may deem fit.*

(4) the Appropriate Authority shall have the following functions, namely:—

(a) to grant, suspend or cancel registration of a Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic;

(b) to enforce standards prescribed for the Genetic Counselling Centre, Genetic Laboratory and Genetic Clinic;

(c) to investigate complaints of breach of the provisions of this Act or the rules made thereunder and take immediate action;

(d) to seek and consider the advice of the Advisory Committee, constituted under sub-section (5), on application for registration and on complaints for suspension or cancellation of registration;

(e) to take appropriate legal action against the use of any sex selection technique by any person at any place, suo motu or brought to its notice and also to initiate independent investigations in such matter;

(f) to create public awareness against the practice of sex selection or pre-natal determination of sex;

(g) to supervise the implementation of the provisions of the Act and rules;

(h) to recommend to the Board and State Boards modifications required in the rules in accordance with changes in technology or social conditions;

(i) to take action on the recommendations of the Advisory Committee made after investigation of complaint for suspension or cancellation of registration.]

(5) The Central Government or the State Government, as the case may be, shall constitute an Advisory Committee for each Appropriate Authority to aid and advise the Appropriate Authority in the discharge of its functions, and shall appoint one of the members of the Advisory Committee to be its Chairman.

(6) The Advisory Committee shall consist of—

*(a) three medical experts from amongst gynaecologists, obstetricians, paediatricians and medical geneticists;*

*(b) one legal expert;*

*(c) one officer to represent the department dealing with information and publicity of the State Government or the Union Territory, as the case may be;*

*(d) three eminent social workers of whom not less than one shall be from amongst representatives of women's organisations.*

*[(7) No person who has been associated with the use or promotion of pre-natal diagnostic techniques for determination of sex or sex selection shall be appointed as a member of the Advisory Committee.]*

*(8) The Advisory Committee may meet as and when it thinks fit or on the request of the Appropriate Authority for consideration of any application for registration or any complaint for suspension or cancellation of registration and to give advice thereon: Provided that the period intervening between any two meetings shall not exceed the prescribed period.*

*(9) The terms and conditions subject to which a person may be appointed to the Advisory Committee and the procedure to be followed by such Committee in the discharge of its functions shall be such as may be prescribed."*

### **Section 28 Cognizance of offences-**

*(1) No court shall take cognizance of an offence under this Act except on a complaint made by--*

*(a) the Appropriate Authority concerned, or any officer authorised in this behalf by the Central Government or State Government, as the case may be, or the Appropriate Authority; or*

*(b) a person who has given notice of not less than thirty days in the manner prescribed, to the Appropriate Authority, of the alleged offence and of his intention to make a complaint to the court.*

*Explanation.--For the purpose of this clause, "person" includes a social organisation.*

*(2) No court other than that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.*

*(3) Where a complaint has been made under clause (b) of subsection (1), the court may, on demand by such person, direct the Appropriate Authority to make available copies of the relevant records in its possession to such person.*

**Section 30-Power to search and seize records, etc. -**

*(1) If the Appropriate Authority has reason to believe that an offence under this Act has been or is being committed at any Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic, such Authority or any officer authorised thereof in this behalf may, subject to such rules as may be prescribed, enter and search at all reasonable times with such assistance, if any, as such authority or officer considers necessary, such Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic and examine any record, register, document, book, pamphlet, advertisement or any other material object found therein and seize the same if such Authority or officer has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act.*

*(2) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to searches and seizures shall, so far as may be, apply to every search or seizure made under this Act.*

**Rule 12 of 1996 of PC&PNDT Act -Procedure for search and seizure.-**

*“The Appropriate authority or any officer authorised in this behalf may enter and search at all reasonable times any Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Imaging Centre or Ultrasound Clinic in the presence of two or more independent witnesses for the purposes of search and examination of any record, register, document, book, pamphlet, advertisement, or any other material object found therein and seal and seize the same if there is reason to believe that it may furnish evidence of commission of an offence punishable under the Act.*  
*Explanation.—In these Rules—*

*(1) Genetic Laboratory/Genetic Clinic/Genetic Counselling Centre’ would include an ultrasound centre/imaging centre/nursing home/hospital/institute or any other place, by whatever name called, where any of the machines or equipments capable of selection of sex before or after conception or performing any procedure technique or test for pre-natal detection of sex of foetus, is used;*

*(2) ‘material object’ would include records, machines and equipments; and*

*(3) ‘seize’ and ‘seizure’ would include ‘seal’ and ‘sealing’ respectively.*

*(2) A list of any document, record, register, book, pamphlet, advertisement or any other material object found in the 1[Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound*

*Clinic and Imaging Centre] and seized shall be prepared in duplicate at the place of effecting the seizure. Both copies of such list shall be signed on every page by the Appropriate Authority or the officer authorised in this behalf and by the witnesses to the seizure: Provided that the list may be prepared, in the presence of the witnesses, at a place other than the place of seizure if, for reasons to be recorded in writing, it is not practicable to make the list at the place of effecting the seizure.*

*(3) One copy of the list referred to in sub-rule (2) shall be handed over, under acknowledgement, to the person from whose custody the document, record, register, book, pamphlet advertisement or any other material object have been seized: Provided that a copy of the list of such document, record, register, book, pamphlet, advertisement or other material object seized may be delivered under acknowledgement, or sent by registered post to the owner or manager of the 1[Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound Clinic and Imaging Centre], if no person acknowledging custody of the document, record, register, book, pamphlet, advertisement or other material object seized is available at the place of effecting the seizure.*

*(4) If any material object seized is perishable in nature, the Appropriate Authority, or the officer authorised in this behalf shall make arrangements promptly for sealing, identification and preservation of the material object and also convey it to a facility for analysis or test, if analysis or test be required: Provided that the refrigerator or other equipment used by the 1[Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound Clinic and Imaging Centre] for preserving such perishable material object may be sealed until such time as arrangements can be made for safe removal of such perishable*

*material object and in such eventuality, mention of keeping the material object seized, on the premises of the Genetic Counselling Centre, Genetic Laboratory or Genetic Clinic shall be made in the list of seizure.*

*(5) In the case of non-completion of search and seizure operation, the Appropriate Authority or the officer authorized in this behalf may make arrangements, by way of mounting a guard or sealing of the premises of the 1[Genetic Counselling Centre, Genetic Laboratory, Genetic Clinic, Ultrasound Clinic and Imaging Centre], for safe keeping, listing and removal of documents, records, book or any other material object to be seized, and to prevent any tampering with such documents, records, books or any other material object.”*

The learned counsel for the petitioner has firstly raised issue regarding territorial jurisdiction of the team appointed by Civil Surgeon Rewari. It apparently appears that in the present case Civil Surgeon-cum-Chairman, District Appropriate Authority, Rewari received a secret information regarding running of illegal sex determination racket. A decoy namely Indu (pregnant lady) belonging to area of Rewari was associated and subsequently in the area of Kund Barrier, co-accused Dhanpati joined the raiding party and on the way Rs.15,000/- were given to Dhanpati by decoy namely Indu on her asking and on reaching bus stand Gurugram co-accused Dhanpati talked to co-accused Anju (nurse) and co-accused Dhanpati handed over certain amount to said nurse and then said nurse namely Anju took Indu in a three-wheeler to the diagnostic centre of the petitioner in the area of Gurugram, where the ultra-sound examination of decoy Indu was conducted while the other members of the raiding party while following the said three-wheeler also reached near the said diagnostic centre and when Anju and Indu

came out of the said diagnostic centre, they were apprehended by the members of the raiding team and even the petitioner was also apprehended by the police officials at the same time from the said diagnostic centre. In the meantime the team constituted by Appropriate Authority Gurugram also reached the spot. In these circumstances it cannot be said that the raiding team constituted by Civil Surgeon Rewari was having no jurisdiction to raid the diagnostic centre of the petitioner situated in Gurugram particularly when the commission of the offences ex-facie appears to have commenced from Rewari, to which place Indu (decoy) belonged, though the offences culminated in Gurugram, where the illegal sex determination test was conducted in the diagnostic centre of the petitioner. As such, the proceedings conducted by the raiding team constituted by Civil Surgeon, Rewari in respect of the impugned FIR and complaint registered at Gurugram cannot be assailed on grounds of territorial jurisdiction.

The learned counsel for the petitioner has raised another issue that in the light of provision of Section 28 of PC&PNDT Act, the police was having no jurisdiction to investigate the matter and that it was only the Appropriate Authority Gurugram which was competent to lodge the complaint in terms of Section 28 of PC&PNDT Act. Admittedly in the present case, at the initial stage FIR (Annexure P-1) was registered in Police Station Gurugram against the petitioner and other accused persons on the basis of the aforesaid raid conducted by the team constituted by the concerned Authority and thereafter, impugned complaint (Annexure P-4) was also filed against all the accused persons including the petitioner.

No doubt the bar as envisaged in Section 28 of PC&PNDT Act provides that no Court shall take cognizance of an offence under this Act except on a written complaint made by Appropriate Authority concerned. Further sub-Rule 3 of Rule 18-A of Rules of 1996 provides that the Appropriate Authorities as far as possible are not to involve police for investigating cases under PC&PNDT Act as cases under the said Act are tried as complaint cases. The Division Bench of this Court in *CRM-M-4211 of 2014, Hardeep Singh and another Vs. State of Haryana and others decided on 4.12.2014*, observed that the said provisions of Rule 18-A (3) are in the nature of guidelines inasmuch as the involvement of police for investigating cases under the PC&PNDT Act is restricted as far as possible and that it is not a complete bar that has been imposed and the Appropriate Authority whenever necessary can proceed with the case without involving the police. Besides the police can even investigate and arrest a doctor in respect of cases which are cognizable. The offences under the PC&PNDT Act are cognizable. Besides in terms of Section 4(2) CrPC the police can investigate the offences under the said Act according to the provisions contained in the CrPC but subject to any enactment for the time being enforced regulating the manner or place of investigation, inquiring into, trying or otherwise dealing with such offences. While disposing of the said petition the Division Bench of this Court finally concluded in the following manner that:-

*“(1). FIR for the offence committed under the PC&PNDT Act can be registered on the complaint of the appropriate authority and can be investigated by the police, however, cognizance of*

*the same can be taken on the basis of complaint made by one of the person mentioned in Section 28 of PC&PNDT Act .*

*(2). A report under Section 173 Cr.P.C along with the complaint of an appropriate authority can be filed in the Court. However, cognizance would be taken only on the complaint that has been filed in accordance with Section 28 of PC&PNDT Act.*

*(3). FIR can be lodged and offences can be investigated by the police but cognizance only of the complaint is to be taken by the Court.”*

Thus, it can be safely concluded that offences under the PC&PNDT Act have been classified as cognizable offences, without there being any exclusion clause ruling out police investigation. Further Rule 18-A of Rules of 1996 tends to point out that involvement of the police is not absolutely ruled out though, police normally is not expected to be associated in the investigation of cases under PC&PNDT Act.

From the aforesaid discussion it is apparent that the offences being cognizable and there being no absolute bar against arrest or investigation by a police officer, there was no illegality if in the instant case the police officials registered FIR (Annexure P-1) regarding commission of cognizable offences under PC&PNDT Act upon getting information regarding the same from the Authorized Authority concerned.

The another issue raised by the counsel for the petitioner is that in the present case the complaint was lodged by Dr. Sarayu Sharma, Deputy Civil Surgeon-cum-PNDT Nodal Officer, Gurugram and he/she was not competent to file the complaint as per the provisions of PC&PNDT Act.

It may be noticed that as per the provisions of Section 28 of PC&PNDT Act, the taking of cognizance of an offence under this Act can be said to be barred except on a complaint made by the Appropriate Authority concerned or any officer authorized in this behalf by the concerned Government or the Appropriate Authority. So there is no dispute that in terms of Section 28 of PC&PNDT Act complaint in writing could also be lodged by any officer who is authorized in this regard by the Appropriate Authority concerned.

In the present case the complaint in question was lodged by District Appropriate Authority through Dr. Sarayu Sharma, Deputy Civil Surgeon-cum-Nodal Officer, Gurugram. From the perusal of record of trial Court, it is apparent that Dr. Sarayu Sharma, Deputy Civil Surgeon was duly authorized by District Appropriate Authority to file complaint against the petitioner in Gurugram Court and the said District Appropriate Authority was comprised of Dr. BK Rajora Chairman DAA (Civil Surgeon) Gurugram, Dharmender Rana, Member DAA (District Attorney) Gurugram and Smt. Sunita Sharma, Member DAA (Program Officer WCD), Gurugram and the said authorization was dated 7.2.2018. Thus, it cannot be said that the impugned complaint was lodged by a person who was not competent to do so.

Further in the present case the petitioner was arrested at the spot and the ultra sound machine with which he conducted the ultrasound of Indu, was also seized and taken into possession by the raiding party and later on the same was released on superdari to the petitioner by the Court concerned. There may be some procedural irregularities while making the

seizure of said ultrasound machine and other documents. This Court is of the view that the same is not to be looked into at this stage while dealing with the matter under Section 482 CrPC. So even if there are some irregularities in search and seizure of records in terms of Section 30 of PC&PNDT Act, the same is to be considered and taken note of by the trial Court at the relevant stage of the trial.

The facts and circumstances of the citations referred to by the counsel for the petitioner are distinguishable from that of the present case.

For the foregoing reasons, this Court does not find any ground for quashing of the FIR and complaint in question and the consequential proceedings arising therefrom. Accordingly, the present petition is hereby dismissed being devoid of merits.

The observations, if any, made herein above are meant only for the disposal of the present petition.

13.01.2023  
P.Chawla

( KARAMJIT SINGH )  
JUDGE

Whether reasoned / speaking?  
Whether reportable?

Yes / No  
Yes / No