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

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CRM-M-19559-2024 (O&M)
Date of decision: 30.08.2024

JARNAIL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rajesh Duhan, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.156 dated 15.12.2023 under Sections 23 and 25 of the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 and Sections 312, 315, 120-B IPC registered at Police Station Urban Estate, District Patiala.

2. As per the prosecution case, on the basis of a complaint given by Dr. Gurpreet Singh Nagra, Chairperson District Appropriate Authority-cum-Senior Medical Officer, Patiala, a raid was organized. The petitioner-Jarnail Singh took a decoy patient to the co-accused-Meena Rani for conducting sex determination test of the said patient. The co-accused-Meena Rani is alleged to



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have taken a sum of Rs.25,000/- from the patient, out of which co-accused-Meena Rani has given a sum of Rs.5,000/- to the petitioner-Jarnail Singh. The co-accused-Meena Rani conducted sex determination test of the decoy patient and disclosed the sex of the foetus to be a male. Thereafter, further patients were also found to be present at the spot. The petitioner along with co-accused was arrested at the spot by the raiding team and the FIR was lodged.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and he is in custody since 15.12.2023. Investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. The petitioner is ready to face trial. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

4. An affidavit of Smt. Daljit Kaur, wife of the petitioner has been submitted, whereby an undertaking has been given that Jarnail Singh shall never indulge in any such activity as alleged in the said FIR No.156 dated 15.12.2023 in the future and shall live as a law-abiding and peace-loving citizen of this country, having no relation with any unlawful or illegal whatsoever.

5. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner. She has informed that investigation is complete, final report under Section 173 Cr.P.C. has already been presented before the trial Court but charges are yet to be framed.

6. I have heard the learned counsel for the parties and perused the relevant documents.

7. In view of the facts that the investigation is complete; the final report under Section 173 of the Code of Criminal Procedure has been presented before

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the trial Court; charges are yet to be framed; allegations and counter-allegations are matter of trial; the petitioner is in custody since 15.12.2023 and conclusion of trial is going to take time, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to the conditions fixed by the trial Court.

8. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

9. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

30.08.2024
P.Bhatt

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