



CRM-M-27059-2024 (O&M) - 1-

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

215+108

CRM-M-27059-2024 (O&M)
Date of decision: 30.08.2024

MEENA RANI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

CRM-32660-2024

1. The present application has been filed for placing on record the affidavit of the petitioner and the order dated 31.07.2024 passed by the learned Additional Sessions Judge, Patiala as Annexures P-4 and P-5.
2. For the reasons mentioned in the application, the same is allowed.
3. Annexures P-4 and P-5 are taken on record subject to all just exceptions.
4. Office to tag the same at appropriate place.

Main case

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



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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 co-accused-Jarnail Singh took a decoy patient to the petitioner-Meena Rani for conducting sex determination test of the said patient. The petitioner is alleged to have taken a sum of Rs.25,000/- from the patient, out of which she has given a sum of Rs.5,000/- to the co-accused-Jarnail Singh. The petitioner is also alleged to have 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 the 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 she 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. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner.

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

6. As per the status report dated 08.07.2024, the petitioner was arrested



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on 15.12.2023 and she is in custody since 15.12.2023. As per the status report, there are other 6 cases registered against the petitioner, out of which the cancellation reports in FIR No.305 dated 21.11.2015, FIR No.24 dated 15.03.2018, FIR No.42 dated 25.03.2015 and FIR No.34 dated 21.06.2018 have been presented before the trial Court. However, the petitioner is facing the trial in the remaining FIR No.78 dated 25.05.2022 and FIR No.181 dated 23.10.2020.

7. The petitioner has given an affidavit (Annexure P-4) giving an undertaking that she would not indulge in such activities or any other illegal activities in future and she would abide with every terms and conditions as imposed by the Court. She has further undertaken that she would maintain good conduct and would not commit any illegal or bad activities and fully cooperate with the Investigating Agency and with the trial Court.

8. Keeping in view the fact that the investigation is complete; the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court; the petitioner is in custody since 15.12.2023; she is 53 years old lady and she has also given an undertaking, the petition is allowed.

9. Keeping in view the fact that there is a history of other cases against the petitioner, this Court is of the considered view that stringent conditions should be imposed upon the petitioner while releasing her on bail in the present FIR. As such, the petitioner is ordered to be released on regular bail, subject to the following conditions:

1. That the petitioner would furnish a personal bond to a sum of Rs.5 lakhs and one surety in like amount to the satisfaction of the trial Court/Duty Magistrate concerned.
2. That the petitioner would surrender her passport before the trial Court



and would not leave the country without giving prior permission of the trial Court.

3. That the petitioner would not engage herself in any services/employment in any hospital, dispensary or other institutes connected with the nursing and medical profession during the pendency of the trial in the present FIR.

10. In case of violation of condition No.3 in above para No.10, the trial Court would be at liberty to cancel the present order.

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

12. 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