



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-29692-2024
Date of decision: 15.07.2024

SEEMA
Versus
STATE OF HARYANA
....Petitioner
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. B.S. Saroha, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI. J.(Oral)

1. On 12.06.2024, this Court had passed the hereinafter extracted order,
upon the instant petition:-

- “1. Through the instant petition, the petitioner seeks the concession of anticipatory bail, in case FIR No.101 dated 26.05.2024, under Sections 18(C) and 27 of the Drugs and Cosmetics Act, 1940, and, Sections 336 and 420 of the IPC, and, Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971, and, Section 34 of the National Medical Commission Act, 2019, registered at P.S. City Safidon, District Jind.*
- 2. The learned counsel for the petitioner submits that, in fact, the patient Mrs. Parveen Kumari was never treated by the petitioner, rather she was under the treatment of Dr. K.M. Mithliesh, M.B.B.S. He further submits that even the statement of the patient, as recorded under Section 164 of the Cr.P.C., also does not support the case of the prosecution. He also drawn attention of this Court towards Annexure P-4, which is an exculpatory affidavit sworn by the patient in favour of the petitioner, inasmuch as, she has clearly deposed therein that no abortion was done by the petitioner.*
- 3. Notice of motion for 15.07.2024.*
- 4. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.*

5. *In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of her arrest, she shall be admitted to interim bail on her furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. ”*

2. Today, the learned State counsel on instructions imparted to him by PSI Pardeep, submits that the petitioner has already joined the investigation and she is fully co-operating with the investigation process and she is not required for any further custodial interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 12.06.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

15.07.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No