

CRM-M-74079-2025

2025 PHHC 179499



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

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Date of Decision:31.12.2025

SABNOOR BANO

....PETITIONER(S)

VERSUS

STATE OF HARYANA

....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Arjun Atri, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in connection with FIR No. 170 dated 10.11.2025 under Sections 318(2), 337 BNS & 3m 4, 5 of MTP Act and 34 of NMC Act registered at Police Station City Punhana, District Nuh, Haryana.

2. Brief Facts

Brief facts of the prosecution case are that on receipt of several complaints against Shabnam Health Care Centre, situated on Shikrawu Road, Punhana, regarding illegal conduct of deliveries and abortions and fraudulent registration of births and deaths, a raiding team of the CM Flying Squad conducted a raid on 10.11.2025 at about 12:10 PM. During the raid, the centre was found open but unmanned. One male and one female present outside fled on

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seeing the raiding party. An ultrasound report showing a 30-week pregnancy was found on the doctor's table. Three beds, one labour table, an empty MTP kit, inquiry forms, medicines, a desktop, and a printer were recovered.

Several birth certificates of different hospitals were also recovered, which revealed that children allegedly born at the said centre were fraudulently issued birth certificates from other hospitals. Oxytocin injections were also found. All incriminating articles and records were seized, sealed, and on the basis of the recommendation made, the present FIR was registered.

3. Contention**On behalf of the petitioner**

Learned counsel for the petitioner-accused submits that the petitioner has been falsely implicated, as her name has not been mentioned in the FIR. She has no connection with the said health centre and resides at Nuh, whereas the centre is situated at Punhana. It is further contended that in the present case, the secret informer and the complainant are the same person, which is impermissible in law and contrary to settled principles of criminal jurisprudence, in violation of the law laid down by the Hon'ble Supreme Court in Mohammed v. State of Haryana, 2008 (2) RCR (Criminal) 128.

It is further submitted that nothing is to be recovered from the petitioner and her custodial interrogation is not required. She is ready and willing to join the investigation and to abide by all terms and conditions imposed by the Court; therefore, she prays for the grant of anticipatory bail.

Notice of motion.

CRM-M-74079-2025**On behalf of the State**

On the asking of the Court, Mr. Rahul Dev Singh, Addl. AG Haryana, accepts notice on behalf of the respondent–State and opposes the bail application, submitting that the petitioner along with her husband, Dr. Sahil, runs the said health centre and that the petitioner works there as a nurse. The allegations are serious in nature, and investigation is required to ascertain the source of the birth certificates therefore, the application deserves dismissal.

I have heard the submissions made by learned Counsel for the parties and have perused the record.

4. Analysis

It is a settled proposition of law that while the right to personal liberty is fundamental, the same is not absolute and must be balanced against the societal interest and the need for a fair and effective investigation. In cases involving serious and grave offences as the one in hand, particularly those concerning illegal medical practices, unauthorized abortions, and fraudulent registration of births and deaths, the Court is required to exercise greater circumspection. At a nascent stage of investigation, when material evidence has been recovered and the involvement of the accused is yet to be fully unearthed, any interference by way of granting anticipatory bail may hamper the collection of evidence, influence witnesses, or derail the investigation.

This Court cannot remain oblivious to the fact that offences of the present nature have far-reaching repercussions on society at large. Illegal medical practices, unauthorized abortions, and manipulation of birth and death records strike at the very foundation of public health administration and the rule of law. Such acts not only endanger the lives of vulnerable women and unborn children but also erode public confidence in the healthcare system and statutory regulatory mechanisms. The unchecked proliferation of such activities adversely

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impacts the moral and social fabric of the nation and hinders its orderly growth. Therefore, offences of this nature are required to be dealt with sternly, and any leniency at an early stage may send a wrong signal and undermine the deterrent effect of law.

Considering the seriousness of the allegations, the nature of the offence, and the ongoing investigation, this Court is of the considered view that granting the concession of anticipatory bail at this stage would be inappropriate and may adversely affect the proper course of investigation.

Accordingly, the present petition stands dismissed.

(SANDEEP MOUDGIL)
JUDGE

31.12.2025
Naina Rajput

<i>Whether speaking/reasoned</i>	<i>:Yes/No</i>
<i>Whether reportable</i>	<i>:Yes/No</i>