

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

Sr. No.147

**CRM-M-17072-2026
Date of Decision: 18.05.2026**

AAKASH DEEP

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G. Haryana.

MANDEEP PANNU, J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 236 dated 29.05.2022 registered under Sections 420 and 120-B of IPC, Sections 3A, 3(3), 29, 23, 18 of the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, at Police Station Yamuna Nagar Sadar, District Yamunanagar.

2. It is submitted by learned counsel for the petitioner that the petitioner is the husband of the co-accused upon whom the alleged sex determination test was conducted and the only allegation against him is that he was found present at the spot. It is further submitted that no recovery has been effected from the petitioner and no medical record, ultrasound report or any scientific evidence has been produced on record to substantiate the allegation that any sex determination test was conducted upon the wife of the petitioner. Learned counsel further submits that the petitioner has been

nominated only on the basis of disclosure statements and the ingredients constituting the offence of criminal conspiracy punishable under Section 120-B IPC are not made out against him. It has further been submitted that challan in the present case has already been presented and charges are yet to be framed.

3. However, after arguing for some time, learned counsel for the petitioner submits that he does not wish to press the present petition at this stage and prays that the same may be dismissed as withdrawn with liberty to raise all the pleas taken in the present petition before the learned trial Court at the stage of consideration/framing of charge.

4. Accordingly, the present petition is hereby dismissed as withdrawn with liberty aforesaid.

5. Needless to say, in case any such pleas are raised by the petitioner before the learned trial Court, the same shall be considered and decided in accordance with law, without being influenced by any observation made hereinabove.

6. All pending applications, if any, also stand disposed of.

18.05.2026
Anu

(MANDEEP PANNU)
JUDGE

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