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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.55340 of 2025
Date of Decision: 12.02.2026

Aakash Panwar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Randeep Singh Dhakla, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
357	08.06.2025	Thanesar Sadar, District Kurukshetra	23, 3, 3A, 4, 5 and 6 of the Pe-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (For short “PNDT Act”) and 318(4) and 61 of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

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2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint submitted by the complainant Dr. Rishi, Dental Surgeon, C.H.C. Bubain, Kurukshetra alleging that on the basis of a secret information to the effect that someone was getting illegal sex determination of foetus done in District Kurukshetra thereby affecting the sex ratio, a raiding team was constituted. The team through its decoy member contacted the accused Sukhdev Singh and asked her to get fetal sex test of the decoy person done on 08.06.2025. He demanded a sum of Rs.30,000/- for that. On 08.06.2025, the team reached at the house of decoy customer. It was found that accused Sukhdev Singh along with the doctor who was doing fetal sex determination was reaching at the spot. An amount of Rs.30,000/- was handed over to the decoy customer. The petitioner along with the accused Sukhdev Singh reached in front of the park built behind the house of the decoy customer and went inside the house. After about half an hour, the petitioner along with the co-accused came out of the house of decoy and both of them were apprehended by the raiding team. On conducting search, one tablet was recovered from the custody of the petitioner along with one ultrasound probe and a jelly like substance. An amount of Rs.30,000/- as handed over to the decoy was recovered from the right side pocket of co-accused. The recovered articles were taken into custody. The petitioner and the co-accused were interrogated and it was revealed that the petitioner had done ultrasound

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on the decoy customer and had disclosed that the foetus growing in her womb was male. The investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 08.06.2025. Investigation stands concluded. His continued detention would not serve any useful purpose. As per Section 28 of PNDT Act, the Court cannot take cognizance in the matter except on complaint of appropriate authority concerned or officer authorized and no such complaint has been filed in this case. A false recovery has been planted upon him. The trial will take considerable time to conclude. His case is at parity with the case of the co-accused Sukhdev Singh who has since been extended benefit of bail. On parity, he too deserves to be extended the same benefit. It is, hence, argued that he deserves to be released on bail.

4. Per contra, learned Deputy Advocate General, Haryana has argued that there are serious and specific allegations against the petitioner as in connivance with the co-accused, he was conducting sex determination test of foetus of the area of District Kurukshetra against the provisions of PNDT Act. He is a habitual offender since he is involved in three other cases of similar nature and also two other cases of cheating. There are chances of his committing similar offences or absconding, if extended benefit of bail. It is, therefore, argued that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

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6. The petitioner is alleged to have conducted the sex determination test upon a decoy patient at her residence through an Ultrasound machine and to have disclosed the gender of the foetus in her womb. He is an active member of the gang involved in conducting such illegal tests against the provisions of PNDT Act in a greed to earn money. The allegations make out a prima facie case for commission of subject offences against him. However, he is in custody now for a period of more than eight months. The trial will obviously take considerable time to conclude. The subject offences are triable by Magistrate. No useful purpose would be served by keeping the petitioner in custody any more. Taking into consideration the above discussed facts but without meaning to make any comment on the merits of the case, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties in the like amount each to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and further subject to the condition that he shall surrender his passport, if any during the pendency of the trial. He shall visit the Police Station Sadar Thanesar on the first Monday of every alternative month during the trial of the case. The SHO concerned shall record his presence and in case, the petitioner does not abide by this condition, then he shall intimate the trial Magistrate who shall be at liberty to cancel the bail of the petitioner on this ground alone.

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7. A copy of this order be sent to the concerned SHO.

12.02.2026
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(MANISHA BATRA)
JUDGE

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