



**Reserved on : 06.02.2026**  
**Pronounced on : 21.02.2026**

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21<sup>ST</sup> DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M. NAGAPRASANNA

CRIMINAL PETITION No.884 OF 2026

C/W

CRIMINAL PETITION No.14326 OF 2025

**IN CRIMINAL PETITION No.884 OF 2026**

**BETWEEN:**

- 1 . SARDAMMA  
W/O DASEGOWDA  
AGED ABOUT 48 YEARS,  
BYRAPATTANA, CHANNAPATTANA TALUK,  
MALUR, CHANNAPATNA  
RAMANAGARA – 562 160.
  
- 2 . DASEGOWDA  
S/O NARAYANAGOWDA,  
AGED ABOUT 60 YEARS,  
BYRAPATTANA,  
CHANNAPATTANA TALUK,  
MALUR, CHANNAPATNA  
RAMANAGARA – 562 160.

... PETITIONERS

(BY SRI HEMANTH KUMAR K., ADVOCATE)

**AND:**

- 1 . THE STATE OF KARNATAKA BY  
BYATARAYANAPURA POLICE,  
REPRESENTED BY  
STATE PUBLIC PROSECUTOR  
HIGH COURT COMPLEX,  
BENGALURU – 560 001.
  
- 2 . DR. RAVINDRANATH M. METI  
DISTRICT HEALTH AND FAMILY WELFARE OFFICER  
DISTRICT COMPETENT AUTHORITY,  
P.C AND PNDDT ACT,  
BENGALURU.

... RESPONDENTS

(BY SRI B.N.JAGADEESHA, ADDL.SPP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF B.N.S.S., PRAYING TO QUASH THE FIRST INFORMATION REPORT IN CRIME NO.286/2025 REGISTERED BY THE BYATARAYANAPURA POLICE, FOR THE OFFENCE PUNISHABLE UNDER SECTION 4 OF THE MEDICAL TERMINATION OF PREGNANCY ACT 1971 AND UNDER SECTION 91 R/W 3(5) THE BHARATIYA NYAYA SANHITA, 2023 BEFORE THE XLVI ADDITIONAL CHIEF JUDICIAL MAGISTRATE AT BENGALURU.

**IN CRIMINAL PETITION No.14326 OF 2025**

**BETWEEN:**

DR. SHASHI S.L.,  
AGED ABOUT 56 YEARS,

RADIOLOGIST, DISTRICT HOSPITAL,  
RAMANAGARA,  
RAMANAGARA DISTRICT  
PIN 562 159.

RESIDING AT NO. KT 80,  
6<sup>TH</sup> CROSS, MARIGOWDA LAYOUT,  
MANDYA – 571 401.

... PETITIONER

(BY SRI SHRIDHARA K., ADVOCATE)

**AND:**

THE DISTRICT APPROPRIATE AUTHORITY  
RAMANAGARA  
CONSTITUTED UNDER THE P.C- P.N.D.T. ACT,  
REPRESENTED BY  
DR.NIRANJAN B.S.,  
DISTRICT HEALTH AND FAMILY WELFARE OFFICE,  
RAMANAGARA DISTRICT,  
PIN 562 159,  
REPRESENTED BY  
STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KARNATAKA,  
AMBEDKAR BEEDI,  
BENGALURU – 560 001.

... RESPONDENT

(BY SRI B.N.JAGADEESHA, ADDL.SPP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF  
BNSS, 2023, PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN  
C.C.NO.2519/2025 (P.C.R.NO.401/2024) PENDING BEFORE THE  
ADDL. CIVIL JUDGE AND JMFC, AT RAMANAGARA, FOR THE  
OFFENCES P/U/S 23 OF PRE-CONCEPTION AND PRE-NATAL

DIAGNOSTIC TECHNIQUES (PROHIBITION OF SEX SELECTION) ACT, 1994 AGAINST THE PETITIONER.

THESE CRIMINAL PETITIONS HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 06.02.2026, COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:-

CORAM: **THE HON'BLE MR JUSTICE M.NAGAPRASANNA**

**CAV ORDER**

Both these petitions are filed by different accused in different proceedings, but arising out of the same substratum of facts. They are therefore, taken up together and considered in this common order.

2. Heard Sri Hemanth Kumar K, learned counsel appearing for petitioners in Criminal Petition No.884 of 2026; Sri Shridhara K, learned counsel appearing for the petitioner in Criminal Petition No.14326 of 2025 and Sri B.N. Jagadeesha, learned Additional State Public Prosecutor appearing for the respondents in both the petitions.

3. Facts in brief, germane, are as follows:

**IN CRIMINAL PETITION NO.884 OF 2026:**

The petitioners - accused Nos.4 and 5 in crime No.286/2025 are before this Court calling in question the very registration of the crime for the offences punishable under Section 4 of the Medical Termination of Pregnancy Act, 1971 ('the Act' for short) and Sections 3(5) and 91 of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS').

**IN CRIMINAL PETITION NO.14326 OF 2025:**

The petitioner is accused No.1 in C.C.No.2519 of 2025 arising out of PCR No.401 of 2024, registered for offence punishable under Section 23 of the Pre-conception and Pre Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 ('PCPNDT Act' for short). Therefore, on the same set of facts offences have sprung under two different enactments as noted hereinabove.

**THE SUBSTRATUM :**

4. On 22-08-2025 one Smt. Harsitha, wife of accused No.1 who was carrying for the third child, already having two female

children, intends to get herself scanned to know the sex of the fetus. Both Smt. Harsitha and accused No.1 are said to have enquired with their relative Smt. Lakshmi/accused No.2 who in turn called her acquaintance one Smt. Bhagyamma/accused No.3 who is said to have advised them to come to a hospital in Ramanagara at 2.00 p.m. The 1<sup>st</sup> petitioner/accused No.4 is said to have called accused No.2 over phone and instructed her to write her name by her hand where the scanning of the victim was said to have been fixed to be done and the Doctor had informed that fetus is very healthy. Thereafter, accused No.3 called accused No.2 again to meet petitioner No.2/accused No.5 who then revealed the information to Smt. Harsitha that the sex of the fetus indicating it to be a female. On coming to know that it was a female for the third time, the couple Smt. Harsitha and accused No.1 are said to have decided that fetus be aborted.

4.1. Accused No.2 is said to have advised the accused No.1 to visit Dr. Pallavi at Dhanish Polyclinic/accused No.6, at which point in time, it appears that the Health Officer gets a tip off. After encountering suspicion, accused No.1 takes the victim back home.

By then the other accused had fed certain tablets or medication for abortion of the fetus. On the night of the very day Smt. Harsitha, the pregnant develops profused bleeding. Therefore, the patient was taken to the hospital and the Doctor there declares that the fetus had died and referred the matter to Vanivilas Hospital, Bangalore. It is in this manner a complaint comes to be registered by the District Health and Family Welfare Officer against all these accused. The complaint becomes a crime in Crime No.286 of 2025 for the afore-quoted offences. The registration of the crime is what has driven accused Nos. 4 and 5 to this Court seeking quashment of proceedings against them.

5. The companion petition – Criminal Petition No.14326 of 2025 is preferred by the radiologist – accused No.1, in C.C.No.2519/2025, who conducted the scan test. The petitioner, in this companion petition, contends that he has not divulged the sex of fetus, but only conducted the scan, which is permissible and the fetus died not in Ramanagara but in Bangalore. The other legal contentions that are advanced are that, the concerned Court has

taken cognizance of the offence in blatant violation of Section 23 of the PCPNDT Act and seeks quashment on the said ground as well.

**SUBMISSIONS:**

**PETITIONERS':**

6. The learned counsel appearing for the petitioner in Criminal Petition No.14326 of 2025 would vehemently contend that the radiologist is innocent. He has only conducted a scan which is not prohibited under the Act. There is no evidence to link the petitioner to the alleged offence. The allegations are based on hearsay, without there being any corroborative material. The Competent Authority or the investigating team did not adhere to the mandatory provisions under the PCPNDT Act, including conduct of prior investigation and issuing notices to the accused prior to registration of crime. The learned counsel would further project that the order of taking cognizance and issuing summons is a serious matter and the order of cognizance does not indicate application of mind or existence of a prima facie case to issue summons to the petitioner, in particular.

7. The learned counsel for the petitioners in the companion petition – Criminal Petition No.884 of 2026 would toe the lines of the learned counsel appearing for the petitioner in the companion petition insofar as the order of taking cognizance is concerned and would further submit that the petitioners/accused Nos. 4 and 5 have nothing to do with what has happened in the entire episode. There is no evidence at all to link these petitioners to the alleged act of crime. On these grounds, the respective learned counsel would seek quashment of proceedings.

**THE STATE:**

8. *Per contra*, the learned Additional State Public Prosecutor Sri B.N. Jagadeesha would vehemently refute the submissions in contending that what the petitioners have done are grave in nature. It is a coterie that is operating in the Districts of Ramanagara and Channapatna and sex determination leading to medical termination of pregnancy is rampant in these areas. He would submit that the issue needs trial, where the statement of the victim is taken as to how the modus operandi in the entire issue has sprung. The learned Additional State Public Prosecutor submits that the petitions

deserve to be dismissed and further trial be permitted to be conducted. It is for the petitioners to come out clean post the trial.

9. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the material on record.

**CONSIDERATION:**

10. The afore-narrated dates and the link in the chain of events are all a matter of record. A crime comes to be registered on 30-08-2025 by a public servant viz., the District Health and Family Welfare Officer. The complaint reads as follows:

**THE COMPLAINT:**

“ರವರಿಗೆ,  
ಆರಕ್ಷಕ ಉಪ ನಿರೀಕ್ಷಕರು  
ಬ್ಯಾಟರಾಯನಪುರ ಪೊಲೀಸ್ ಠಾಣೆ  
ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ.

ಇಂದ  
ಡಾ|| ರವೀಂದ್ರನಾಥ ಎಂ ಮೇಟಿ  
ಜಿಲ್ಲಾ ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣಾಧಿಕಾರಿ &  
ಜಿಲ್ಲಾ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಿ, (ಪಿ.ಸಿ&ಪಿ.ಎನ್.ಡಿ.ಟಿ ಕಾಯ್ದೆ),  
ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ.

ಮೊಬೈಲ್ ನಂ : 9449843037

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಕಾನೂನು ಬಾಹಿರ ಭ್ರೂಣ ಲಿಂಗ ಪತ್ತೆ ಮತ್ತು ಭ್ರೂಣಹತ್ಯೆ ಮಾಡಿರುವವರ  
ವಿರುದ್ಧ ದೂರು

ಉಲ್ಲೇಖ: ಶ್ರೀಮತಿ ಹರ್ಷಿತ, ಚೆನ್ನಕೇಶವ, ಲಕ್ಷ್ಮೀ, ಭಾಗ್ಯಮ್ಮ, ಪಲ್ಲವಿ ಇವರ  
ಹೇಳಿಕೆಯಂತೆ.

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ಶ್ರೀಮತಿ ಹರ್ಷಿತ w/o ಚೆನ್ನಕೇಶವ ಇವರಿಗೆ ಎರಡು ಹೆಣ್ಣು ಮಕ್ಕಳಿದ್ದು, ಮೂರನೇ ಮಗುವಿಗೆ ಗರ್ಭವತಿಯಾಗಿದ್ದು ಮೂರನೇ ಮಗುವಿನ ಲಿಂಗ ಯಾವುದೆಂದು ತಿಳಿಯಲು ನಿರ್ಧರಿಸಿ, ಸಂಬಂಧಿಕರಾದ ಶ್ರೀಮತಿ ಲಕ್ಷ್ಮೀ ಇವರನ್ನು ಸಂಪರ್ಕಿಸಿರುತ್ತಾರೆ. ನಂತರ ಲಕ್ಷ್ಮೀಯವರು ಪರಿಚಯದವರಾದ ಶ್ರೀಮತಿ ಭಾಗ್ಯಮ್ಮರವರನ್ನು ಸಂಪರ್ಕಿಸಲಾಗಿ ಇವರು ರಾಮನಗರದಲ್ಲಿ ಲಿಂಗ ಪತ್ತೆ ಮಾಡುತ್ತಾರೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ. ನಂತರ ದಿ:22.08.2025 ರಂದು ಬೆಳಿಗ್ಗೆ 7:30ಕ್ಕೆ ಶ್ರೀಮತಿ ಹರ್ಷಿತ, ಚೆನ್ನಕೇಶವ, ಲಕ್ಷ್ಮೀ ಇಬ್ಬರು ಸಂಬಂಧಿಕರ ಜೊತೆ ರಾಮನಗರ ಜಿಲ್ಲಾ ಆಸ್ಪತ್ರೆ ತೆರಳಿ ಹೊರರೋಗಿ ಚೇಟಿ ಮಾಡಿಸಿ ಭಾಗ್ಯಮ್ಮರಿಗೆ ಕಾಯುತ್ತಿರುತ್ತಾರೆ. ಭಾಗ್ಯಮ್ಮರವರು ಆರ್ಷಿಯಾ ಎನ್ನುವ ಮಹಿಳೆಯೊಡನೆ ಬಸ್ಸಿನಲ್ಲಿ ಅಲ್ಲಿಗೆ 9:00 ಗಂಟೆಗೆ ಬರುತ್ತಾರೆ. ಭಾಗ್ಯಮ್ಮ ಸರ್ವರ್ ಇಲ್ಲವೆಂದು ತಿಳಿಸಿದಾಗ ಎಲ್ಲರೂ ಹೊರಟು ಬಂದಿರುತ್ತಾರೆ ನಂತರ ಬೆಂಗಳೂರು ಕಡೆ ಬರುತ್ತಿರುತ್ತಾರೆ ಒಂದೆರಡು ಗಂಟೆ ನಂತರ ಸರ್ವರ್ ಇರುವುದಾಗಿ ದೂರವಾಣಿ ಮೂಲಕ 2 ಗಂಟೆಯೊಳಗೆ ಬನ್ನಿ ಎಂದು ಭಾಗ್ಯಮ್ಮರವರು ಲಕ್ಷ್ಮೀರವರಿಗೆ ತಿಳಿಸಿರುತ್ತಾರೆ.

ಅದರಂತೆ ಲಕ್ಷ್ಮೀರವರು ದಂಪತಿಗಳೊಡನೆ ಕಾರಿನಲ್ಲಿ ರಾಮನಗರ ಆಸ್ಪತ್ರೆಗೆ ಬರುತ್ತಾರೆ, ಶಾರದಮ್ಮರವರು ದೂರವಾಣಿ ಮೂಲಕ ಲಕ್ಷ್ಮೀರವರಿಗೆ ಕರೆ ಮಾಡಿ ಹರ್ಷಿತರವರ ಕೈನಲ್ಲಿ ಶಾರದಮ್ಮ ಎಂದು ಬರೆದು ಕಳುಹಿಸಲು ತಿಳಿಸಿರುತ್ತಾರೆ, ಅದರಂತೆ ಲಕ್ಷ್ಮೀರವರು ಹರ್ಷಿತರವರ ಎಡ ಅಂಗೈ ಮೇಲೆ ಶಾರದಮ್ಮ ಹೆಸರು ಬರೆದು ಸ್ಕ್ಯಾನಿಂಗ್ಗೆ ವೈದ್ಯರ We ಕಳುಹಿಸಿರುತ್ತಾರೆ, ನಂತರ ವೈದ್ಯರು ಸ್ಕ್ಯಾನಿಂಗ್ ನಡೆಸಿ ಲಕ್ಷ್ಮೀರವರಿಗೆ ನಿಮ್ಮ ಮಗು ಆರೋಗ್ಯವಾಗಿರುತ್ತದೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ ನಂತರ ಅಲ್ಲಿಂದ ಹೊರ ಬಂದಿರುತ್ತಾರೆ. ಭಾಗ್ಯರವರು ಲಕ್ಷ್ಮೀರವರಿಗೆ ಕರೆಮಾಡಿ ಚನ್ನಪಟ್ಟಣ ಬಸ್ ನಿಲ್ದಾಣದ ಬಳಿ ಶಾರದಮ್ಮರವರ ಪತಿ ದಾಸೆಗೌಡರವರನ್ನು ಭೇಟಿ ಮಾಡಲು ತಿಳಿಸಿರುತ್ತಾರೆ. ಹರ್ಷಿತರವರ ಪತಿ ಚೆನ್ನಕೇಶವ ಲಕ್ಷ್ಮೀರವರಿಗೆ 25000/- ಹಣ ನಗದು ಮೂಲಕ ನೀಡುತ್ತಾರೆ. ಅದರಂತೆ ಲಕ್ಷ್ಮೀರವರು ಚೆನ್ನಕೇಶವರವರಿಂದ 25000/- ಹಣ ಪಡೆದು 19000/- ಹಣವನ್ನು ನೀಡುತ್ತಾರೆ ದಾಸೆಗೌಡರವರು ಹೆಣ್ಣುಮಗುವೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ. ಬಾಕಿ 6000/- ಹಣವನ್ನು ಲಕ್ಷ್ಮೀರವರು ಚೆನ್ನಕೇಶವರವರಿಗೆ ಹಿಂದಿರುಗಿಸಿರುತ್ತಾರೆ.

ಕಾರಿನಲ್ಲಿ ಬೆಂಗಳೂರಿಗೆ ಬರುವಾಗ ಲಕ್ಷ್ಮೀರವರು ಹೆಣ್ಣು ಮಗುವೆಂದು ತಿಳಿಸಿ ಇದನ್ನು ತೆಗೆಸುತ್ತೀರ ಎಂದು ಕೇಳಿದಾಗ ನನ್ನ ಬಳಿ ಹಣವಿಲ್ಲ ಯೋಚನೆ ಮಾಡಿ ಹೇಳುವುದಾಗಿ ಚೆನ್ನಕೇಶವರವರು ತಿಳಿಸುತ್ತಾರೆ, ಆಗ ಲಕ್ಷ್ಮೀರವರು ಹೇಗೂ ಬಂದಿದ್ದೀರೆ ಈಗಲೇ ಮಾಡಿಸಿಕೊಳ್ಳಿ ಎಂದು ಒತ್ತಾಯಿಸುತ್ತಾರೆ. ಲಕ್ಷ್ಮೀರವರು

ಭಾಗ್ಯಮ್ಮರವರ ಬಳಿ ದೂರವಾಣಿ ಮೂಲಕ ಚರ್ಚಿಸಿದಾಗ ತಿಳಿಸುತ್ತೇನೆ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಭಾಗ್ಯಮ್ಮರವರು ಡಾ.ಪಲ್ಲವಿರವರಿಗೆ ಲಕ್ಷ್ಮೀರವರ ನಂಬರ್‌ಅನ್ನು ನೀಡುತ್ತಾರೆ ಪಲ್ಲವಿರವರು ವಾಟ್ಸ್ ಅಪ್ ಮುಖಾಂತರ ಲಕ್ಷ್ಮೀರವರಿಗೆ ದಾನಿಷ್ ಪಾಲಿಕ್ಲಿನಿಕ್‌ನ ಲೋಕೇಷನ್ ಕಳುಹಿಸಿರುತ್ತಾರೆ ಎಲ್ಲರು ಡಾ.ಪಲ್ಲವಿರವರ ದಾನಿಷ್ ಪಾಲಿಕ್ಲಿನಿಕ್, #189/5 ನೆಲ ಮಹಡಿ, ಶಾಮಣ್ಣನಗರ, ಬಿಲಾಲ್ ಮಸ್ಜಿದ್ ಹತ್ತಿರ, ಬೆಂಗಳೂರು-560026. ಇಲ್ಲಿಗೆ ಬರುತ್ತಾರೆ. ಅಲ್ಲಿಗೆ ಭಾಗ್ಯಮ್ಮರವರು ಬರುತ್ತಾರೆ

ಭಾಗ್ಯಮ್ಮರವರು ಚೆನ್ನಕೇಶವರವರಿಗೆ ರೂ.23000/- ಖರ್ಚಾಗುತ್ತೆ ಎಂದು ತಿಳಿಸುತ್ತಾರೆ. ಸುಮಾರು ಸಾಯಂಕಾಲ 7 ಗಂಟೆಯಾಗಿರುತ್ತದೆ. ಭಾಗ್ಯಮ್ಮರವರು ಗರ್ಭಪಾತಕ್ಕಾಗಿ ತಂದಿದ್ದ Cytolog (Misoprostal 200mg) ಮಾತ್ರೆಯನ್ನು ಪಲ್ಲವಿರವರು 3 ಮಾತ್ರಗಳನ್ನು ನುಂಗಲು ಮತ್ತೊಂದು ಮಾತ್ರೆಯನ್ನು ಹರ್ಷಿತರವರ ಗುಪ್ತಾಂಗಕ್ಕೆ ಇಟ್ಟಿರುತ್ತಾರೆ ಚೆನ್ನಕೇಶವರವರಿಗೆ ಪಲ್ಲವಿರವರು ಹೆಚ್ಚುವರಿ ಔಷಧಕ್ಕಾಗಿ ಚೀಟಿ ಬರೆದು ತರಲು ತಿಳಿಸುತ್ತಾರೆ.

ಔಷಧಿ ತರಲು ಹೋಗುವಾಗ ಅಷ್ಟರಲ್ಲಾಗಲೇ ರಾಮನಗರದಿಂದ ಹೆಲ್ಮ್ ಆಫಿಸರ್ ರಾಜುರವರು ಕರೆ ಮಾಡಿ ಭ್ರೂಣ ಪತ್ತೆಗೆ ರಾಮನಗರಕ್ಕೆ ಬಂದಿರುತ್ತೀರಿ ಇದು ತಪ್ಪು ಮಗುವಿಗೆ ಯಾವುದೇ ರೀತಿ ತೊಂದರೆಯಾದರೆ ಕಾನೂನು ರೀತಿಯ ಕ್ರಮ ಜರುಗಿಸಲಾಗುವುದೆಂದು ತಿಳಿಸಿರುತ್ತಾರೆ ಅದರಂತೆ ಚೆನ್ನಕೇಶವರವರು ಹೆದರಿಕೊಂಡು ಹರ್ಷಿತರವರನ್ನು ಮನೆಗೆ ಕರೆದುಕೊಂಡು ಹೋಗಲು ನಿರ್ಧರಿಸುತ್ತಾರೆ. ಅದರಂತೆ ಕ್ಲಿನಿಕ್‌ಗೆ ಬಂದು ಪಲ್ಲವಿರವರ ಬಳಿ ಕೇಳಿದಾಗ ಪಲ್ಲವಿರವರು ಆಗ ಚೆನ್ನಕೇಶವರವರು ಪೂರ್ತಿ ಚಿಕಿತ್ಸೆ ಆಗದ ಕಾರಣ ಚರ್ಚಿಸುತ್ತಾರೆ ಪಲ್ಲವಿರವರು ಮಾತ್ರೆಯ ಹಣ ರೂ.4000/- ಭೇಡಿಕೆ ಹಣ ಕೇಳಿದಾಗ ಚೆನ್ನಕೇಶವರವರು ರೂ.3000/- ಹಣ ನೀಡಿ ಹರ್ಷಿತರವರನ್ನು ಕರೆದುಕೊಂಡು ಹೊರಡುತ್ತಾರೆ. ತದನಂತರ ಭಾಗ್ಯಮ್ಮರವರು ಚೆನ್ನಕೇಶವರವರಿಗೆ ಸ್ಯಾಟಲೈಟ್ ಬಸ್ ನಿಲ್ದಾಣದ ಬಳಿ ಬಿಡಲು ತಿಳಿಸಿದಾಗ ಅವರನ್ನು ಕಾರಿನಲ್ಲಿ ಬಿಡುತ್ತಾರೆ ಆಗ ಭಾಗ್ಯಮ್ಮರವರು 5000/- ಹಣ ಭೇಡಿಕೆ ಇಡುತ್ತಾರೆ ಅದರಂತೆ ಚೆನ್ನಕೇಶವರವರು ರೂ.5000/- ಕೊಟ್ಟು ಕಳುಹಿಸುತ್ತಾರೆ. ನಂತರ ಭಾಗ್ಯಮ್ಮರವರು ತಮ್ಮ ಮನೆಯಿಂದ ರೂ.5000/- ಹಣವನ್ನು ಲಕ್ಷ್ಮೀರವರಿಗೆ ತಮ್ಮ ಮಗಳ ನಂಬರ್‌ನಿಂದ ಫೋನ್‌ಪೇ ಮೂಲಕ ವರ್ಗಾಯಿಸುತ್ತಾರೆ.

ದಂಪತಿಗಳು ಮನೆಗೆ ಬಂದ ನಂತರ ರಾತ್ರಿ 12:30 ಕ್ಕೆ ಹೊಟ್ಟೆ ನೋವು ತೀವ್ರ ರಕ್ತ ಸ್ರಾವ ಆಗುತ್ತಿರುವುದನ್ನು ಕಂಡು ಚೆನ್ನಕೇಶವರವರು ಹೆದರಿ ಬನಶಂಕರಿ 2ನೇ ಹಂತದಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಆಸ್ಪತ್ರೆಗೆ ತೆರಳುತ್ತಾರೆ ಬೆಳಿಗ್ಗೆ ಅಲ್ಲಿನ ವೈದ್ಯರು ಡಾ| ರಮ್ಯರವರು ಕಡಬಮ್ಸ್ ಡಯಾಗ್ನೋಸ್ಟಿಕ್‌ಗೆ ಸ್ಕ್ಯಾನಿಂಗ್ಗೆ ತಿಳಿಸಿರುತ್ತಾರೆ ಅಲ್ಲಿ ಸ್ಕ್ಯಾನಿಂಗ್ ವರದಿಯಲ್ಲಿ ಮಗು ಮೃತಪಟ್ಟಿರುವುದು ವೈದ್ಯರು ಖಚಿತಪಡಿಸಿ ವಾಣಿವಿಲಾಸ್ ಆಸ್ಪತ್ರೆಯಲ್ಲಿ ತೆಗೆಸಿಕೊಳ್ಳಲು ಸೂಚಿಸಿರುತ್ತಾರೆ ಅದರಂತೆ ಶನಿವಾರ ಶ್ರೀಮತಿ ಹರ್ಷಿತ, ಚೆನ್ನಕೇಶವರವರು 12 ಗಂಟೆ ಸಮಯಕ್ಕೆ ವಾಣಿವಿಲಾಸ್ ಆಸ್ಪತ್ರೆಯಲ್ಲಿರುವುದು ರಾಜ್ಯ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ತಿಳಿದು ಜಿಲ್ಲಾ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ವರದಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಅದರಂತೆ ಈ ಒಂದು ಭ್ರೂಣ ಲಿಂಗ ಪತ್ತೆ ಮತ್ತು ಹತ್ಯೆಗೆ ಪ್ರತ್ಯಕ್ಷವಾಗಿ ಮತ್ತು ಪರೋಕ್ಷವಾಗಿ ಸಹಕರಿಸಿದವರ ಹಾಗೂ ವೈದ್ಯರೆಂದು ಸಾರ್ವಜನಿಕರಿಗೆ ವಂಚನೆ

ಮಾಡುತ್ತಿದ್ದ ವೃತ್ತಿಯಲ್ಲಿ ಶುಶ್ರೂಷಕಿ ಆಗಿರುವ ಪಲ್ಲವಿರವರ ವಿರುದ್ಧ ಪ್ರಕರಣ ದಾಖಲಿಸಿಕೊಂಡು ಕಾನೂನು ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ಈ ಮೂಲಕ ತಮ್ಮಲ್ಲಿ ಕೋರಿಕೊಳ್ಳುತ್ತೇನೆ.

(ಸೂಚನೆ): ಪಿ.ಸಿ.&ಪಿ.ಎನ್.ಡಿ.ಟಿ ಕಾಯ್ದೆ 23 (4) ಅನ್ವಯ ಶ್ರೀಮತಿ ಹರ್ಷಿತರವರಿಗೆ ವಿನಾಯಿತಿ.

ಅಡಕಗಳು: 1. ಹರ್ಷಿತರವರ ಹೇಳಿಕೆ. 2. ಚೆನ್ನಕೇಶವರವರ ಹೇಳಿಕೆ. 3. ಪಲ್ಲವಿರವರ ಹೇಳಿಕೆ.

4. ಲಕ್ಷ್ಮೀರವರ ಹೇಳಿಕೆ. 5. ಭಾಗ್ಯಮ್ಮರವರ ಹೇಳಿಕೆ.

ಸಹಿ/-

ಸ್ಥಳ: ಬ್ಯಾಟರಾಯನಪುರ.

ದಿನಾಂಕ: 30.08.2025.

ಜಿಲ್ಲಾ ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ ಕಲ್ಯಾಣಾಧಿಕಾರಿ &  
ಜಿಲ್ಲಾ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಿ, (ಪಿ.ಸಿ.&ಪಿ.ಎನ್.ಡಿ.ಟಿ ಕಾಯ್ದೆ),  
ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ."

The complaint becomes a crime in Crime No.286/2025 for offences punishable under Section 91 r/w. 3(5) of the BNS. Section 91 of the BNS, reads as follows:

**"91. Act done with intent to prevent child being born alive or to cause to die after birth.—**

Whoever before the birth of any child does any act with the intention of thereby preventing that child from being born alive or causing it to die after its birth, and does by such act prevent that child from being born alive, or causes it to die after its birth, shall, if such act be not caused in good faith for the purpose of saving the life of the mother, be punished with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.

Section 91 of the BNS punishes an act done with intent to prevent the child being born alive or causing it to die after its birth. It was Section 315 of the earlier regime – the IPC. The other

offence is the one punishable under Section 4 of the Act. It reads as follows:

**"4. Place where pregnancy may be terminated:**

No termination of pregnancy shall be made in accordance with this Act at any place other than, -

(a) hospital established or maintained by Government, or

(b) a place for the time being approved for the purpose of this Act by Government."

Section 4 of the Act prohibits medical termination of pregnancy except in cases where express permission is granted and at permitted places. The complaint would *prima facie* become the ingredients of the afore-quoted offences. **The sequence of events, as unfolded from the complaint and the accompanying documents, discloses a chilling and interconnected chain of facts that culminated in extinguishment of a nascent life. The complaint lodged by a public servant – the District Health and Family Welfare Officer, is neither vague nor speculative as is contended, on the contrary it is lucid in narration, precise in its detail and grave in its import.** The husband and the wife, accused No.1 and

Smt. Harsitha who had two female children born from the wedlock, wanted to check the sex of the fetus. Therefore, acquaintances were contacted which leads to one Bhagyamma. The accused Nos. 4 and 5 are said to be the agents to bring in patients for the purpose of determination of sex and consequential acts.

11. Smt. Bhagyamma is said to have told accused No.1 that it would cost ₹23,000/- to abort the fetus. When the victim was taken to the said hospital, she was administered with Cytolog (Misoprostal 200 mg) tablet and was sent home. Profused bleeding takes place on the very night and the fetus dies. All this happened due to the interconnected acts of all the accused. None of them can declare themselves to be innocent at this stage. **The materials, prima facie, reveal the husband and the wife already parents of two female children, embarked upon a deliberate quest to ascertain the sex of the unborn child. This quest, tragically rooted in gender prejudice, set in motion a series of clandestine consultations, covert referrals, and illicit medical interventions. Each accused is alleged to have played a distinct yet independent role, some as facilitators, some as**

**intermediaries and some as medical professionals, forming a seamless continuum of culpability.**

**12. The petitioners/accused Nos.4 and 5, are not portrayed as passive or peripheral figures, they are alleged to be the very conduits through whom patients were procured and channeled for the purpose of sex determination and its inevitable corollary – sex selective termination. The complaint alleges that upon disclosure that the fetus was female, monetary negotiations ensued, prohibitory medication was administered and the pregnant woman was sent back, only to suffer profuse bleeding the very same night, leading to the death of the fetus. At this incipient stage, it would be wholly impressible to dissect the episode in isolation or to exonerate individual protagonists by compartmentalizing their roles. The law does not countenance such piecemeal absolution where the allegations disclose a concerted and cumulative design.**

13. The petitioner in CrI.P.No.12346/2025 is accused No.1 in C.C.No.2519/2025 arising out of PCR No.401/2025. The said

private complaint emerges out of the same facts as in the companion petition, except the change in offences alleged. In the case at hand, a private complaint comes to be registered by the appropriate authority. Since the case has triggered from registration of the complaint, I deem it appropriate to notice the complaint insofar as it is germane. It reads as follows:

“PARTICULARS OF THE COMPLAINT

8. The Complainant is the District Health and Family Welfare Officer, Ramanagara, and is duly authorized to file this complaint by the Deputy Commissioner & District Appropriate Authority, Ramanagara, vide Official Memorandum dated 25/08/2025, a true copy of which is annexed herewith as **Annexure-A**.
9. The Accused No. 1, Dr. Shashi S.L., is a Radiologist at the District Hospital, Ramanagara. The said hospital is a registered Genetic Clinic under the PC-PNDT Act, holding Registration No. 60, a true copy of which is annexed herewith as **Annexure-B**. The Accused No. 2 to 5 are individuals who acted as agents, touts, and facilitators in the criminal conspiracy.

ELABORATE FACTS:

10. It is submitted that on 25/08/2025, the State Appropriate Authority, PC-PNDT, received credible information regarding a case of illegal sex determination. Acting on this, a joint investigation was conducted with the Complainant District Authority, the detailed report of which is annexed as **Annexure-C**.
11. The investigation revealed that the patient, Mrs, Harshitha, and her husband, Mr. Channakeshava, seeking

to illegally determine the sex of their foetus, initiated contact wife **Accused No. 2, Lakshmi**. Acting as the primary mediator with a guilty mind, Accused No. 2 set the entire criminal enterprise in motion by agreeing to arrange the illegal scan through her network of contacts. The statements of the patient, Mrs. Harshitha, and her husband, Mr. Channakeshava (true copies of which are annexed as **Annexure-D**), detail this initial contact. Crucially, Accused No. 2 Smt. Lakshmi, has subsequently provided a voluntary statement, a true copy of which is annexed herewith as **Annexure-E**, wherein she has narrated the entire sequence of events and admitted to her pivotal role in facilitating the crime, including the subsequent arrangements for the illegal MTP.

9. Accused No. 2 then coordinated with **Accused No. 3, Bhagya**, who acted as the field agent. On 22/08/2025, Accused No. 3 met the patient at the District Hospital, Ramanagara, and orchestrated the logistics. She was the operational link on the ground, managing the patient's movement, coordinating timings, and acting as the go-between for the patient and the larger network. Her presence and actions were instrumental in navigating the hospital environment for this illicit purpose. Furthermore, the Complainant submits that Accused No. 3, Smt. Bhagya, has also provided a voluntary statement confessing to her role as the field agent and corroborating the entire criminal conspiracy, a true copy of which is annexed herewith as **Annexure-F**.
10. To bypass legal procedures and signal to the doctor that this was a pre-arranged illegal scan, a clandestine method was used. Under instructions from the agents, the name of **Accused No. 4, Sharadamma**, the main agent in the network, was written on Mrs. Harshitha's hand. This name served as a code, a clear indicator to the hospital staff and specifically to Accused No. 1, that the patient was part of their illegal network and was to be given special, illicit access, thereby establishing a clear meeting of minds among the conspirators.
11. On 22/08/2025, **Accused No. 1, Dr. Shashi S.L.**, the radiologist, committed the principal illegal act in

Furtherance of this conspiracy. Abusing his professional Position, he conducted the ultrasound scan on Mrs. Harshitha for the sole illegal purpose of sex determination, a flagrant violation of the absolute prohibition under Section 6 of the Act. Furthermore, after determining the sex of the foetus, he communicated this prohibited information to his co-conspirators in the agent network, thereby enabling the final illegal disclosure to the patient's family, a direct contravention of Section 5. To actively conceal his involvement, he deliberately created a manual Form F, a copy of which is annexed as **Annexure-G**, to circumvent standard digital record-keeping and create a false paper trail. His actions were the linchpin of the entire crime, providing not only the technical means for sex determination but also initiating the illegal chain of communication.

12. Following the scan, the financial aspect of the conspiracy was executed. A sum of Rs. 25,000/- was paid to Accused No. 2, who then met with **Accused No. 5, the husband of Sharadamma**. Accused No. 5 acted as the money collector and the crucial information courier. He received the bulk payment of Rs. 19,000/- on behalf of the network. After receiving the payment, it was Accused No. 5 who completed the criminal act by illegally communicating the sex of the foetus to Accused No. 2, stating that it was a female. This direct communication is a flagrant violation of Section 5 of the PC-PNDT Act and was the sole purpose of this elaborate conspiracy.
13. The information illegally conveyed by the accused had an immediate and grave consequence. It directly led the patient and her family, with the continued assistance of the agents, to seek an illegal abortion at a clinic in Bengaluru, with the express purpose of terminating the female foetus. This subsequent act proves that the crime committed by the accused in Ramanagara was not merely a technical violation, but a direct and material step in the commission of female foeticide.
14. On 25/08/2025, an official inspection of the District Hospital was conducted, and a Panchanama was drawn, a copy of which is annexed as **Annexure-H**. During this

inspection, several incriminating documents, including the **ANC Register** and the **Patient Appointment Register** (true copies annexed as **Annexure-I**), and multiple improperly maintained forms (5 online Form Fs and 3 manual Form Fs, true copies annexed as **Annexure-J**), were seized. The investigation further found that signatures of other pregnant women were taken on blank sheets and incorrect contact numbers were recorded for others, indicating that the case of Mrs. Harshitha was not an isolated incident but part of a larger, systematic pattern of non-compliance and illegal activity designed to frustrate the objectives of the Act.

15. The Complainant further submits that CCTV footage from the District Hospital, Ramanagara, for the date of the incident has been secured and preserved in a pen drive. This footage visually corroborates the presence and movements of the accused persons within the hospital premises, substantiating the timeline of the Criminal conspiracy as detailed in the witness statements. A copy of the pen drive is annexed as **Annexure-K**.
16. The aforementioned acts of the Accused constitute a well-organized criminal enterprise and grave offences under the PC-PNDT Act, 1994. The cause of action for this complaint arose on 22/08/2025 and 23/08/2025, within the territorial jurisdiction of this Hon'ble Court.
17. The complaint is filed within the period of limitation as prescribed by law. The relevant documents referred to in the preceding paragraphs are annexed herewith for the kind perusal of this Hon'ble Court.

#### **PRAYER**

**WHEREFORE**, the Complainant prays that this Hon'ble Court may be pleased to

- A. Take cognizance of the offences committed by all the Accused under Sections 4, 5, 6, 22, and 23 of the PC-PNDT Act, 1994.

- B. Convict and punish all the Accused with the maximum penalty prescribed under the law.
- C. Pass any other order or relief that this Hon'ble Court deems fit in the interest of justice.

Place: Ramanagara  
Date: 03/09/2025

Sd/-  
Complainant  
Dr. Niranjana B.S  
District Health and Family Welfare Officer  
ಜಿಲ್ಲಾ ಆರೋಗ್ಯ ಮತ್ತು ಕುಟುಂಬ  
ಕಲ್ಯಾಣಾಧಿಕಾರಿಗಳು, ಬೆಂಗಳೂರು ದಕ್ಷಿಣ ಜಿಲ್ಲೆ."

Based upon the said complaint, the concerned Court takes cognizance and issues summons. The issuing of summons is what has driven the accused No.1 – Radiologist to this Court on the contention that there is violation of law insofar taking of cognizance is concerned, apart from the fact that, the order of taking of cognizance bears no application of mind. It therefore becomes necessary to notice the order of taking of cognizance. The order on the complaint reads as follows:

"This is the private complaint filed by the complainant, the District Appropriate Authority, Ramanagara constituted under the PC-PNDT Act, represented by Dr. Niranjana B.S., District Health and Family Welfare Officer, Ramangara, Bengaluru South District under Section 223 of Bharathiya Nagarika Suraksha Sanhitha, 2023 for the offences punishable

under Sections 4, 5, 6, 22 and 23 of the Pre-Conception and Pre-natal Diagnostic Technologies (Prohibition of Sex Selection) Act, 1994.

2. Heard the complainant side and on perusal of the materials available on records makes it clear that there are prima facie materials to proceed against the accused Nos.1 to 5. Hence, cognizance is taken under Section 210(1)(a) of the B.N.S.S. 2023.

3. At this stage the complainant has presented this complaint on his official capacity, hence the sworn statement of the complainant is dispensed with. Further on careful scrutiny of the complainant and annexed documents shows that there are sufficient grounds for proceed against the accused Nos. 1 to 5 for the offences punishable under Sections 4, 5, 6, 22 & 23 of the Pre-Conception and Pre-natal Diagnostic Technologies (Prohibition of Sex Selection) Act, 1994. Hence, as per the section 227 of BNSS, the Court proceed to pass the following:

#### **ORDER**

Office is hereby directed to register the criminal case against the accused Nos.1 to 5 in the register No.III for the offence punishable under Section 23 of the PC-PNDT Act, 1994.

Issue summons to the accused Nos. 1 to 5.

R/by 29.10.2025.”

**The contention that the order of cognizance suffers from non-application of mind is equally untenable. The learned Magistrate has recorded satisfaction, upon perusal of the complaint and annexed documents, that sufficient prima facie material exists to proceed against the accused. At the stage of taking of cognizance, law does not require, the**

**concerned Court to undertake a meticulous evaluation of evidence as in a trial, it requires only the judicial satisfaction that the allegations if taken at face value, disclose the commission of an offence.** The threshold stands amply crossed in the case at hand.

**14. More importantly, this Court cannot be oblivious to the larger societal malaise that forms the backdrop of the present case. Female foeticide is not merely a statutory offence, it is a moral blight and a constitutional affront. The Apex Court has repeatedly underscored that leniency, at the threshold in such matters, risks rendering the law a dead letter and emboldening those who trade in gender discrimination under the cloak of medical expertise.** The Apex Court in **REKHA SENGAR v. STATE OF MADHYA PRADESH<sup>1</sup>**, has held as follows:

“... ..”

**7.** To understand the severity of the offence, it is imperative to note the legislative history of the PC & PNMT Act. Reference may be had to the Preamble; which states as follows:

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<sup>1</sup> (2021) 3 SCC 729

**“An Act to provide for the prohibition of sex selection, before or after conception, and for regulation of pre-natal diagnostic techniques for the purposes of detecting genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide; and, for matters connected therewith or incidental thereto.”**

(emphasis supplied)

**8.** The passage of this Act was compelled by a cultural history of preference for the male child in India, rooted in a patriarchal web of religious, economic and social factors. This has birthed numerous social evils such as female infanticide, trafficking of young girls, and bride buying and now, with the advent of technology, sex-selection and female foeticide. The pervasiveness of this preference is reflected through the census data on the skewed sex-ratio in India. Starting from the 1901 census which recorded 972 females per 1000 males; there was an overall decline to 941 females in 1961, and 930 females in 1971, going further down to 927 females in 1991. Records of Lok Sabha discussions on the Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Bill, 1991 reflect various members' concern with this alarming state of affairs, which acted as a clarion call to the passage of the PC & PNDT Act. (See : Lok Sabha Debates, Tenth Series, Vol. XXXIII No. 2, 26-7-1994, Eleventh Session, at pp. 506-544.)

**9. The prevalence of pre-natal sex selection and foeticide has also attracted international censure and provoked calls for strict regulation. In September 1995, the UN 4th World Conference on Women, adopted the Beijing Declaration and Platform for Action which inter alia declared female foeticide and pre-natal sex-selection as forms of violence against women. [See : Beijing Declaration and Platform for Action, adopted in 16th plenary meeting of UN 4th World Conference on Women, (15-9-1995), Article 115.]**

**10. While the sex ratio has improved since after the passage of the PC & PNDT Act, rising to 933 as per the 2001 census, and then to 943 in the 2011 census, these**

**pernicious practices still remain rampant. As per the reply filed by the then Minister of State, Health and Family Welfare in the Rajya Sabha on 27-3-2018, as of December 2017, around 3986 court cases had been filed under the Act, resulting in only 449 convictions and 136 cases of suspension of medical licences.**

**11.** The unrelenting continuation of this immoral practice, the globally shared understanding that it constitutes a form of violence against women, and its potential to damage the very fabric of gender equality and dignity that forms the bedrock of our Constitution are all factors that categorically establish pre-natal sex determination as a grave offence with serious consequences for the society as a whole.

**12.** We may also refer with benefit to the observations of this Court in *Voluntary Health Assn. of Punjab v. Union of India* [*Voluntary Health Assn. of Punjab v. Union of India*, (2013) 4 SCC 1 : (2013) 2 SCC (Cri) 287] , as follows : (SCC p. 5, paras 6-7)

"6. ... Above statistics is an indication that the provisions of the Act are not properly and effectively being implemented. There has been no effective supervision or follow-up action so as to achieve the object and purpose of the Act. Mushrooming of various sonography centres, genetic clinics, genetic counselling centres, genetic laboratories, ultrasonic clinics, imaging centres in almost all parts of the country calls for more vigil and attention by the authorities under the Act. But, unfortunately, their functioning is not being properly monitored or supervised by the authorities under the Act or to find out whether they are misusing the pre-natal diagnostic techniques for determination of sex of foetus leading to foeticide.

7. ... Seldom, the ultrasound machines used for such sex determination in violation of the provisions of the Act are seized and, even if seized, they are being released to the violators of the law only to repeat the crime. Hardly few cases end in conviction. The cases booked under the Act are pending disposal for several years in many courts in the country and nobody takes any interest in their disposal and hence, seldom, those

cases end in conviction and sentences, a fact well known to the violators of law.”

**13.** In the present case, contrary to the prevailing practice, the investigative team has seized the sonography machine and made out a strong prima facie case against the petitioner. Therefore, we find it imperative that no leniency should be granted at this stage as the same may reinforce the notion that the PC & PNDT Act is only a paper tiger and that clinics and laboratories can carry out sex determination and foeticide with impunity. A strict approach has to be adopted if we are to eliminate the scourge of female foeticide and iniquity towards girl children from our society. Though it certainly remains open to the petitioner to disprove the merits of these allegations at the stage of trial.

**14.** The fact that on 13-10-2020 [*Durgesh Shrivastava v. State of M.P.*, 2020 SCC OnLine MP 3137] , the co-accused in the present case was released on bail by the High Court in MCRC No. 39380 of 2020 does not alter our conclusions. **The allegations in the FIR and the charge-sheet, as well as the disclosure statements made by the petitioner and the co-accused under Section 27 of the Evidence Act, 1872, reveal that prima facie, the petitioner had a more active role in conducting the alleged illegal medical practices of sex determination and sex-selective abortion. Whereas the alleged role of the co-accused was limited to merely picking up and dropping off the petitioner's clients. Hence, we find no grounds for granting parity with the co-accused to the petitioner.**

**15.** Thus, in view of the presence of prima facie evidence against the petitioner and other factors as referred to supra, we find ourselves compelled to uphold the impugned order [*Rekha Sengar v. State of M.P.*, 2020 SCC OnLine MP 3139] of the High Court denying bail to the petitioner. However, in light of this Court's directions in *Voluntary Health Assn. of Punjab* [*Voluntary Health Assn. of Punjab v. Union of India*, (2013) 4 SCC 1 : (2013) 2 SCC (Cri) 287] mandating speedy disposal of such cases it is open for the petitioner to request the trial court to expedite her trial and decide it within a period of 1 year.”

The Apex Court clearly holds that the scourge of female foeticide must be curbed. The unrelenting continuance of the said immoral practice, constitutes a form of violence against woman and its potential the damage the very fabric of gender equality. The Apex Court holds that pre-natal sex determination is a grave offence, with serious consequences to the society as a whole.

**15. In the light of the glaring facts obtaining in the case at hand, interference at this stage under the guise of exercising inherent or extraordinary jurisdiction would amount to throttling a legitimate prosecution in its infancy. The truth or otherwise of the allegations, the degree of individual culpability and the veracity of evidence, are all matters that properly belong to the crucible of trial.** Consequently, this Court finds no justification to interdict the proceedings or to extend the relief of quashment. The petitions are devoid of merit and are to be dismissed.

16. For the aforesaid reasons, the following:

**ORDER**

- (i) Criminal Petitions are ***dismissed.***
- (ii) It is made clear that the observations made in the course of the order are only for the purpose of consideration of the case under Section 528 of the BNSS and the same would not influence the investigation or further proceedings, before the concerned Court.

Pending application if any, also stand disposed.

**Sd/-  
(M.NAGAPRASANNA)  
JUDGE**

Bkp  
CT:MJ