

**IN THE COURT OF JUDICIAL MAGISTRATE, FIRST CLASS,
(COURT NO. 2), AT- KARANJA (LAD), DIST.- WASHIM**

RCC 54/2025

State of Maharashtra

(Through Appropriate Authority-

Medical Superintendent, Sub-District Hospital,

Karanja(lad)

..... Complainant

Versus

Dr. Rajani Mahadeo Rathod and Other

..... Accused

ORDER BELOW EXH-1

The present complaint is filed by the Appropriate Authority appointed under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (in short 'PCPNDT Act').

Brief facts

2. It is case of the complainant that, District Civil Surgeon and an Appropriate Authority received confidential information that, at Karanja (Lad) pre-natal sex determination is being conducted through an agent for ₹ 20,000/- to 25,000/-. Accordingly, on 12.02.2025 at 17.00 hours their team reached at Karanja(Lad) with decoy and panchas. They called the agent. Said agent asked them to wait at Hotel Bikaner. He also informed them that, at 18.00 hours a Bolero car will come there, then they have to make a payment of ₹ 20,000/- to the owner of

said car and to reach at hospital by that car, he is at hospital. As per instruction of the agent decoy waited at hotel Bikaner. When Bolero vehicle reached there, decoy paid ₹ 20,000/- to the two persons present in the car. Also there was one woman and one man were present in the said car. Thereafter, the persons took the decoy, that other woman and man through said car to the maternity and general hospital of accused No. 1. After short time decoy informed the team of Appropriate Authority that, in said hospital pre-natal sex determination is conducted. Thereafter, Appropriate Authority and inspection team conducted a raid on the ultrasound clinic/genetic clinic by name Dr. Rathod Maternity and General Hospital of accused No. 01. During the said raid it was allegedly found that, the accused No. 1 was conducting pre-natal diagnostic procedures for the purpose of sex selection/sex determination which is strictly prohibited under the PCPNDT Act. It is further alleged that, during the inspection the accused had not maintained mandatory records including Form-F and other registers as required under the provisions of the PCPNDT Act and the Rules framed thereunder. The inspection team seized relevant records and equipment and prepared panchanama in presence of panch witnesses. Accused No. 2 was owner and accused No 3 was driver of the aforesaid Bolero car. Accused No. 5 had brought his pregnant wife for pre-natal sex determination. Accused No. 1 to 4 all were doing a team work for said illegal acts.

3. The complainant is a Government servant, hence, verification is dispensed with.

4. Heard Ld. APP MR. N. W. Sabardande for the complainant.

5. Having regard to the nature of allegations in the complaint, I have carefully perused the complaint, statement of witnesses, raid panchanama, seizure panchanama, inspection report and documents produced along with the complaint.

6. The present complaint is filed by the Appropriate Authority appointed under the PCPNDT Act. It is the case of the complainant that, accused No. 1 with help of accused No. 2 to 4 was making advertisement through oral communication relating to pre-conception and pre-natal determination of sex. Accused No. 2 to 4 used to brought customers/ patients to the maternity home and hospital of the accused No. 1 for the purpose of determining the sex of a foetus. Thereafter, accused No. 1 was conducting pre-natal diagnostic techniques including ultrasonography for the purpose of determining the sex of foetus by charging fee of ₹ 20,000/- to 25,000/-. Therefore, a raid was conducted by the Appropriate Authority and inspection team on the aforesaid ultrasound clinic/genetic clinic of the accused No. 01.

7. During the said raid it was allegedly found that the accused was conducting pre-natal diagnostic procedures for the purpose of sex selection/sex determination which is strictly prohibited under the PCPNDT Act. It is further alleged that, during the inspection the accused had not maintained mandatory records including Form-F and other registers as required under the provisions of the PCPNDT Act and the Rules framed

thereunder. Also the inspection team seized relevant records and equipment and prepared panchanama in presence of panch witnesses.

8. From the material placed on record *prima facie* it appears that, the accused No. 1 with help of accused No. 02 to 04 was conducting pre-natal diagnostic procedures for the purpose of sex selection/sex determination which is strictly prohibited under the PCPNDT Act. Also accused No. 01 was responsible for not maintaining mandatory records including Form-F and other registers as required under the provisions of the PCPNDT Act and the Rules framed thereunder. Accused No. 5 had brought his pregnant wife for pre-natal sex determination.

9. In view of Section 28 of the PCPNDT Act, the complaint filed by the Appropriate Authority is maintainable. Thus, after scrutiny of the complaint and documents placed on record the offence punishable under Sections 5, 6, 23 and 25 and 22 (1), (2) of the PCPNDT Act read with Rules 9 and 10 of the PCPNDT Rules, 1996 is *prima-facie* made out against the all accused. In the result, I pass the following order.

ORDER

1.	Issue process against accused No. 1 to 5 vide Section 223 of Bharatiya Nagarik Suraksha Sanhita for the offence punishable under Sections 5, 6, 23 and 25 and 22 (1), (2) of the PCPNDT Act read with Rules 9 and 10 of the PCPNDT Rules, 1996.
----	---

2.	Summons be issued against the accused No. 1 to 5.
----	---

(P. D. Deore)

Date: 16.03.2026

Judicial Magistrate First Class
(Court No. 2) Karanja (Lad),