

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5870 of 2020**

- Kanchan Singh, D/o Kunvar Singh, aged about 22 Years, R/o Punjabi Colony, Chhatarpur, Near Dispensary, Police Station Materauli, South Delhi, District Delhi, at Present Address Maharshi School Road Mangla, Police Station Koni, District Bilaspur Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through the Station House Officer, Police Station Civil Line (P.S. Masturi is wrongly mentioned in the impugned order), District Bilaspur Chhattisgarh.

---- Respondent

MCRC No. 5968 of 2020

- Sona Tanwar, W/o Rajesh Kumar Tanwar, aged about 32 Years, R/o Gali No. 03 B, Sector-5 Near Happy Mautal School, Shitla Colony, Police Station Sector-5 Gudgaon Hariyana.

At Present Resident of Maharshi School Road, Mangla, Police Station Koni, District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through the Station House Officer, Police Station Civil Line, District Bilaspur. (Police Station Masturi is wrongly mentioned in the impugned order)

---- Respondent

MCRC No. 6101 of 2020

1. Mansi Motwani, D/o Harish Motwani (wrongly written as Wife of), aged about 26 Years, R/o. Madho Karali Wali Gali, Police Station Laskar Gid Kotwali, Gwalior (M.P.)
2. Sona Tanwar, W/o Rajesh Kumar Tanwar, aged about 32 Years R/o. Gali No. 03 B, Sector-5, Near Happy Model School, Sheetla Colony, Sector-5, Gudgaon (Haryana)

3. Madhu Singh, aged about 25 Years, D/o Sanjay Singh, R/o. Punjabi Colony, Chhatarpur, Near Dispensory, Police Station Materouli, South Delhi, District Delhi.

All are at present R/o. Maharshi School Road, Mangla, Police Station Koni, District Bilaspur (C.G.)

----Applicants

Versus

- State of Chhattisgarh, Through The Station House Officer, Police Station Civil Line (wrongly written as Masturi), District Bilaspur (C.G.)

---- Respondent

MCRC No. 6173 of 2020

- Pawan Panjwani, S/o Ramesh Panjwani, aged about 26 Years, R/o Citnis Gane Wale Govind Ashram, Near Samyi Takij Karali Wali Gali, Police Station Laskar Gid Kotwali, Gwalior (M.P.)

Present R/o Maharshi School Road, Mangla, Police Station Civil Line, District Bilaspur Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh, Through - The Station House Officer, Police Station Civil Line District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 6334 of 2020

- Amit Chandra, S/o Kumar Avdesh Karan, aged about 38 Years, R/o Vivekanand Colony Mopka, Police Station Sarkanda District Bilaspur Chhattisgarh.

---Applicants

Versus

- State of Chhattisgarh, Through The Station House Officer, Police Station Civil Line District Bilaspur Chhattisgarh.

---- Respondent

MCRC No. 6602 of 2020

- Amrita Thapa, D/o Late Vijay Thapa, aged about 24 Years, R/o Lucknow Block and P.S. Gomti Nagar, Lucknow, District Lucknow, U.P.

----Applicants

Versus

- State of Chhattisgarh, Through Police Station Civil Lines Bilaspur (Wrongly Mentioned as P.S. Masturi), District Bilaspur Chhattisgarh

---- Respondent

For Applicants	Shri Rakesh Pandey, Advocate.
For State	Shri Vimlesh Bajpai, Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

24/11/2020

MCRC No.5968 of 2020

1. Learned counsel for the applicants submits that he wants to withdraw this application because applicant herein namely **Sona Tanwar** is already an applicant in **MCRC No.6101 of 2020**.
2. Permission granted.
3. Accordingly, the application **MCRC No.5968 of 2020** is dismissed as withdrawn.

MCRC No.5870 of 2020, MCRC No.6101 of 2020, MCRC No.6173 of 2020, MCRC No.6334 of 2020 and MCRC No. 6602 of 2020

4. As all these applications filed under Section 439 of Cr.P.C. arise

out of the same Crime No.554/2020 registered at police station Civil Lines, District Bilaspur, C.G. for the offence punishable under Sections 3, 4, 5 and 7 of PITA Act, they are being disposed of by this common order.

5. Case of the prosecution, in brief, is that on 09.08.2020, police got information from the informant to the effect that near Maharishi School Road Colony, the applicants are running a brothel in the rented house. On report being lodged to the above effect, offence under the aforesaid sections have been registered against the applicants.
6. Learned counsel for the applicants submits that the applicants are an innocent persons and have been falsely implicated in the case. He also submits that no other allegations were leveled against the applicants. He further submits that the applicants have no criminal antecedent, they are in custody since 09.08.2020 (in MCRC No.5870 of 2020, MCRC No.6101 of 2020, MCRC No.6173 of 2020, MCRC No.6334 of 2020 and MCRC No. 6602 of 2020), case is triable by the Judicial Magistrate First Class and conclusion of the trial will take some time. Therefore, they may be released on bail.
7. On the other hand, learned counsel for the State opposes the submissions made on behalf of the above applicants.
8. Considering the facts and circumstances of the case, the nature of allegations leveled against the applicants, the detention

periods of the applicants and that disposal of the trial is likely to take some time, without expressing any opinion on merits of the case, their applications **(MCRC No.5870 of 2020, MCRC No.6101 of 2020, MCRC No.6173 of 2020, MCRC No.6334 of 2020 and MCRC No. 6602 of 2020)** are allowed. It is directed that in the event of applicants executing a personal bond for a sum of **Rs.50,000/- each** with two equivalent sureties for the like amount to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

- (i) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- (iv) They shall not involve themselves in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge