

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M No.15710 of 2020 (O&M)
Date of Decision.20.07.2020
(Heard through VC)**

Umesh Kumar

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.379 dated 11.04.2020 under Sections 3, 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, 1956, Section 188 of IPC and Section 51 (b) of the Disaster Management Act, 2005 (Sections 370 (1)(5) and 420 IPC and Sections 6(2A) and 8 of the POCSO Act have been added later on) registered at Police Station Thanesar, District Kurukshetra.

Counsel for the petitioner herein would contend that the petitioner was a mere bystander. He was neither named in the FIR nor his name came forth in the statement of main accused Nisha Talwar as well as both the girls, who have been picked up for immoral trafficking. Challan has already been presented and there is nothing to be recovered from the petitioner and therefore, he is entitled to concession of bail.

Learned counsel appearing for the respondent-State opposes the regular bail while contending that no ground is made out for granting concession of regular bail.

I have heard learned counsel for the parties.

Keeping in view the fact that the challan has already been presented and there is nothing to be recovered from the petitioner coupled with the fact that the trial is likely to take some time to conclude as due to COVID-19 situation, Courts are not working at their full strength and not taking up regular hearing matters, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

July 20, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No