

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

CRM-M-21943-2020 (O&M)

Date of decision : 11.08.2020

Naveen Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

Mr. R.S. Jhand, Addl.A.G., Haryana.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The instant second petition has been filed under Section 439 of the Code of Criminal Procedure seeking bail in FIR No. 379 dated 11.04.2020 (wrongly mentioned in final report as 10.04.2020), registered under Sections 3, 4, 5, 6 & 7 ITP Act, Section 188 of Indian Penal Code, Sections 6(2A) and 8 POCSO Act and Section 51(b) of Disaster Management Act at Police Station City Thanesar, District Kurukshetra.

Learned counsel, *inter alia*, contends that the petitioner has been falsely implicated in the present case. No recovery is to be effected from the him. One more co-accused, namely, Umesh Kumar, has been granted the concession of bail by this Court in CRM-M-15710-2020.

On the other hand, learned State counsel states that a raid was conducted in the hotel on 10.04.2020, during which two minor girls were recovered. The petitioner was found present with the currency notes handed over to him by the decoy and the same were recovered from him.

Heard.

The first bail petition preferred by the petitioner was dismissed on merits by this Court vide order dated 15.07.2020. There is no denying the fact that co-accused Umesh Kumar has been enlarged on bail by a Coordinate Bench of this Court. However, the petitioner cannot draw any benefit therefrom as the roles of both the accused are distinguishable. No recovery was effected from co-accused Umesh Kumar, whereas, recovery of tainted currency notes was effected from the present petitioner. Even otherwise, the petitioner has to stand on his own legs. No fresh circumstance in favour of the petitioner has been cited by learned counsel.

In view of the above, no case for grant of bail is made out, at this stage.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of the Court on the merits of the case.

11.08.2020
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No