

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36207-2020

Date of decision: - 12.11.2020

Harjinder Singh @ Raj & Rajinder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Buta Singh Bairagi,
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

(Through video conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No.52 dated 14.05.2020, under Sections 384, 385 and 120-B IPC; Sections 3, 4 & 5 of the Immoral Traffic (Prevention) Act, 1956 and Sections 3 & 13 of the Prevention of Corruption Act, 1988, registered at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner argues that in the present case, the allegation in the FIR against the petitioner is that he introduced the complainant to Jaswant Kaur and with regard to the allegation recorded in the FIR dated 07.05.2020 in respect of extortion of money

from the complainant, no role has been attributed to the petitioner, as according to the complainant, Seema Rani called the complainant at the house of Jaswant Kaur, where, the other accused Chamkaur Singh entered and thereafter, money was extorted from him by blackmailing him. Learned counsel for the petitioner submits that the challan has already been presented and the petitioner is behind the bars since 14.05.2020.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of State of Punjab.

Learned State counsel submits that though, there are no allegation against the petitioner qua the incident, which happens on 07.05.2020 with regard to the extortion of money from the complainant, but, the prostitution racket was run by the petitioner alongwith Jaswant Kaur with the help of Seema Rani.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, it is conceded that no role has been attributed to the petitioner in respect of extortion of money from the complainant and only role attributed to the petitioner by the complainant is that the complainant was introduced to Jaswant Kaur by the petitioner, especially when the challan has already been presented, no useful purpose will be served in keeping the petitioner behind the bars.

The petitioner be released on regular bail in this case subject

to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence the trial in any manner as the challan has already been presented and in case of default of the above undertaking, the State/complainant will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

November 12, 2020
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Whether reasoned/speaking?	Yes
Whether reportable?	No