

Date of Decision : 30.09.2020

1. CRM-M No.53720 of 2019 (O&M)

Mannu @ Narender

...Petitioner

Versus

State of Haryana

...Respondent

2. CRM-M No.7824 of 2020 (O&M)

Rahul Dada @ Inderjeet Roy

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Aman Pal, Advocate
for the petitioner in CRM-M-53720-2019.

Mr. Parveen Sharma, Advocate
for the petitioner in CRM-M-7824-2020.

Mr. B.S. Virk, DAG, Haryana.

FATEH DEEP SINGH, J (ORAL)

By this common order two regular bail petitions under Section 439 Cr.P.C. i.e. first of accused-petitioner Mannu @ Narender and second regular bail petition of accused-petitioner Rahul Dada @ Inderjeet Roy shall stand disposed off being arising out of the same FIR bearing No.383, dated 05.05.2019, under Sections 370-A, 376, 506, 120-B IPC, 1860 registered at Police Station Panipat City, District Panipat, Haryana.

The present case was got registered on the statement of a girl then aged around 17/18 years alleging that she belongs to Bangladesh and was school drop out. It is during the course of her stay in Delhi, she came across accused non-applicant Sandeep, who brought her to the house of the accused-petitioner Rahul Dada @ Inderjeet Roy residing there with his family. It is alleged that at the behest of the petitioner Rahul Dada @ Inderjeet Roy, she was instigated to carry on flesh trade and in furtherance of which had taken her from Delhi to Panipat where she was introduced to accused-petitioner Mannu @ Narender. The later thereafter sent the girl to co-accused non-applicant Ajay, where the later defiled her. It is after some time the girl escaped leading to registration of the present case.

Learned counsel for the petitioners inter alia contends that the petitioner-Mannu @ Narender is behind the bars since 06.05.2019 i.e. for a period of more than one year and four months. While the petitioner-Rahul Dada @ Inderjeet Roy is in custody since 14.11.2019, a little less than a year. It is vehemently submitted that there is no specific allegations against the petitioners for defilement of the girl and as per the opinion of the Doctor, the girl had attained majority at the time of the occurrence.

Learned State counsel does not displaces the said facts but has strongly opposed the bail on the grounds of seriousness of allegations.

Be so as it may, keeping in view the long period of incarceration undergone by both the petitioners and it is fairly admitted at the bar by the learned State counsel that there is no specific allegations against the petitioners having sexually misused the girl and in view of the present pandemic Covid-19 scenerio and the circumstances detailed hereinabove, there is every likelihood that the trial is not likely to be concluded in the near future, without feeling the necessity to advert to the merits of the case, no useful purpose would be served by keeping the petitioners in custody. Accordingly, the instant petitions for regular bail are allowed. The petitioners-Mannu @ Narender and Rahul Dada @ Inderjeet Roy are ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petitions stand disposed off accordingly.

The observations made hereinabove shall have no bearing on the merits of the case as these are purely for the disposal of the present bail applications.

**(FATEH DEEP SINGH)
JUDGE**

30.09.2020
Manpreet

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No