

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 585 of 2021**

Smt. Geeta Soni W/o Lt. Hemkumar Soni Aged About 33 Years R/o Gobra
Nayapara, District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station New
Rajendra Nagar, District Raipur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Y.C. Sharma and Shri Sachin Nidhi, Advocates
For the State	:	Shri D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**22/02/2021**

1. Heard.
2. Case diary is available.
3. This is the third bail application under Section 439 of the CrPC.
4. Earlier first bail application of the applicant was rejected by this Court vide order dated 19/06/2019 passed in MCRC No.3614/2019 considering *prima facie* case against her. Her second bail application was rejected by this Court vide order dated 29/08/2019 passed in MCRC No. 5253/2019 considering *prima facie* case against her.
5. Perused the case diary in connection with the Crime No.177/2019 registered at Police Station New Rajendra Nagar, District Raipur (C.G.) for the offence punishable under Sections 4,5, 7 of Prevention of Immoral Trafficking Act, 1956.
6. Case of the prosecution, in brief is that Krishna Kumar Patel posted as CSP at Purani Basti, Raipur on 04.05.2019 received information that co-accused Kiran Sharma is operating sex racket at Impresia Colony, Amlidih. To raid, a team was constituted. Pointer Amit Kumar Jain was given 4 notes of Rs.500/- denomination with specific numbers. Pointer met with co-accused Kiran Sharma. Co-accused Kiran Sharma sent him to applicant Geeta Soni. He gave Rs.2000/- to applicant Geeta Soni for deal for providing a prostitute. Bearing same number of notes were seized from applicant Geeta Soni. In the house of co-accused Kiran Sharma, Nisha Khan, Taj Noushad were also present who were

committing prostitution. During the investigation it was found that applicant Geeta Soni was also participating in dealing for providing the girls.

7. Counsel for the applicant submitted that main accused Smt. Kiran Sharma (Sahu) is released on bail by Apex Court and the case of applicant is not more severe than co-accused Smt. Kiran Sharma (Sahu), hence applicant may be released on bail on principle of parity.
8. On the other hand, counsel for the State opposes the bail application.
9. On 10/02/2021 the copy of Hon'ble Apex Court dated 06/03/2020 received from the Office of Additional Registrar (Judicial).
10. Perused the MCRC No. 5253/2019 wherein the order passed by Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No. 11612/2019 dated 06/03/2020, which is arising out of order dated 29/08/2019 passed by this Court in MCRC No. 5253/2019 is enclosed. In this order Hon'ble Supreme Court observed that petitioner Kiran Sharma (Sahu) is in custody since May, 2019, hence she is entitled for bail on such terms and conditions to be imposed by the trial Court. The case of applicant Smt. Geeta Soni is not more severe than the case of co-accused Smt. Kiran Sharma (Sahu) who is already enlarged on bail by Hon'ble Apex Court. Moreover, in the case in hand applicant is also in jail since 04/05/2019. Hence the principle of parity is applicable in favour of applicant.
11. Consequently, bail application of applicant is allowed and it is ordered that she shall be enlarged on bail on such terms and conditional to be imposed by the trial Court.

Sd/-
(Sharad Kumar Gupta)
Judge