

205

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

CRM-M-3266 of 2021
Date of Decision: 20.04.2021

Ranvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Deepinder Brar, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI, J.(ORAL)

The present petition has been filed seeking regular bail under Section 439 of Code of Criminal Procedure, 1973, in case FIR No.175, dated 28.09.2020, under Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956 and Section 4 of POCSO Act, 2012, registered at Police Station Kotwali, District Bathinda.

As per the contents of the FIR, secret information was received by the police that one Manoj Kumar son of Bansidhar was carrying out an illegal business of prostitution at his hotel. For that purpose various men and women were called at the hotel for carrying out the business of prostitution which is still going on.

The learned counsel for the petitioner has argued that the petitioner was falsely implicated in the present case and in fact the main

accused namely Manoj who was the owner of the hotel has already been granted regular bail by this Court in CRM-M-42509-2020 decided on 12.01.2021 (Annexure P-2). He further submitted that the other co-accused have also been granted the benefit of regular bail and therefore, the petitioner is also entitled for the grant of concession of regular bail. He also submitted that the petitioner is in custody since 28.09.2020 and the investigation of the case is already complete and the challan has already been presented, although, the charges have not been framed till date. He submitted that no useful purpose would be served in case the petitioner is not granted bail. He further submitted that the petitioner is not involved in any other case.

On the other hand, Mr. Nagra, AAG, Punjab, has submitted that it is correct that the petitioner is in custody since 28.09.2020 and that he is not involved in any other case. He further submitted that it is also correct that the investigation of the case is already complete and the challan has been presented. Learned State counsel has not disputed that all other co-accused including the owner of the hotel, who has been named in the FIR namely Manoj has been granted bail by a Coordinate Bench of this Court.

I have heard the learned counsel for both the parties.

The petitioner is admittedly in custody since 28.09.2020 and the investigation of the case is already complete and the challan stands presented and the petitioner is not involved in any other case. The only person named in the FIR is Manoj and the other co-accused persons were nominated later on. The petitioner is not involved in any other case. Furthermore, it is not the case of the State that in case, the petitioner is released on regular bail then he may tamper with any evidence or he may influence any witnesses or he may flee from justice.

Therefore, considering the totality and circumstances of the present case, I deem it fit and proper to allow the present petition. Consequently, the petitioner shall be released on regular bail on his furnishing requisite bail/surety bonds subject to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(JASGURPREET SINGH PURI)
JUDGE

April 20, 2021
Manpreet

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