

CRM-M-6774-2021

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

CRM-M-6774-2021 (O&M)
Date of decision : 12.02.2021

Ritik Sharma

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. D.S.Malwai, Advocate
for the petitioner.

Mr. A.M. Punchhi, Public Prosecutor with
Mr. Anupam Bansal, Addl. Public Prosecutor
for U.T. Chandigarh.

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.

This is the third petition filed under Section 438 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking bail in FIR No. 145 dated 26.07.2020 registered under Sections 3, 4, 5, 6, 7 of Immoral Traffic Act, 1956 at Police Station Sector 36, Chandigarh.

The first bail application was dismissed as withdrawn on 08.09.2020. Thereafter, the petitioner moved another application which was again ordered to be dismissed as withdrawn on 16.12.2020. Learned counsel for the petitioner has moved the present bail application on the strength that his co-accused have been enlarged on bail. The contention of learned counsel for the petitioner is rejected as they were in bail petition under

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Though he is named in the FIR but he was not present at the time of raid.

Learned counsel for the respondent states that after the dismissal of the first application for anticipatory bail, subsequent bail applications were not maintainable. Therefore, the second bail application was dismissed as withdrawn. The poor girls, who were dragged into prostitution, have made specific allegations that they were called through co-accused Neelam Kaur and the petitioner introduced them to two other boys in the Moon Light Hotel, which is run by his brother Gaurav.

Heard.

Considering the fact that the FIR was registered on 26.07.2020, till date the petitioner has not surrendered, therefore, this is a circumstance against the petitioner. In view of the fact that a specific role has been ascribed to the petitioner and particularly when both the victims have named him, therefore, the Court finds no merits in the petition.

Dismissed.

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

12.02.2021

Jyoti-II

(JITENDRA CHAUHAN)

JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No