

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.22668 of 2021
Date of Decision: November 16, 2021

Sakib @ Sakir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Manoj Tanwar, Advocate,
for the petitioner.

Mr.Surender Singh, AAG, Haryana.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.81 dated 20.02.2021, under Sections 370 (3,4,5), 370(A), 372, 34 IPC, 1860 and Sections 4, 5, 6 Immoral Traffic (Prevention) Act, 1956, registered at Police Station, Dabua, District Faridabad, who is in custody since his arrest on 02.04.2021.

The above FIR was registered on the statement of complainant Dulumanni Bada, who stated that she is studying in 1st year class. Her elder sister Rumi is known to Ruhi. On 16.02.2021, Ruhi came to her house and said that she is residing in Delhi and serving at Airport. Complainant asked her for job, on which she told that bad acts are to do there and whether she is ready to do it, on which the complainant refused. She told the complainant to get her a job in a private company and took the complainant along with her at Siligudi. The complainant met Shilpi, Sufia and Ijbul Haq there. Thereafter, on 19.02.2021 at about 11.00 a.m., they came to Faridabad

from Siligudi. Ijbul Haq and Ruhi took her in a room where two girls, namely, Peenu and Mariam met her. Peenu told her that Ijbul Haq took her from Assam on the pretext to visit Delhi and put her in prostitution. They are 6-7 persons, including Ruhi, Ijbul Haq, Chandni, Naushad and Sakir. They took girls from Assam and put them in prostitution. When the complainant came to know about this, she made call to the police and got them released alongwith other girls. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner has argued that no specific role is attributed to the petitioner and the allegations by complainant are based upon hearsay information. According to him, as the investigation of the case is complete, the further custody of the petitioner may not be necessary. He submits that the petitioner is not involved in any other case, therefore, he be released on bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Dinesh Kumar, however, it is not disputed by him that the petitioner is not involved in any other case. He further states that though the investigation is complete, but charges are yet to be framed.

After hearing the learned counsel for the parties and considering the above background, this court is of the opinion that the trial is yet to commence and it would take considerable time to conclude. Therefore, considering his period of custody, this court does not find any reason to decline the prayer, particularly when the prosecution witnesses are either the complainant or the police officials and there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the

merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Faridabad.

November 16, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No