

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37490-2020 (O&M)
Date of Decision:- 26.3.2021

Sonu Samana @ Om Parkash

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sunil Kumar Dhanda, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Satnam Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered vide FIR No.268, dated 20.9.2020, Police Station Civil Lines, District Patiala, under Sections 5, 6 of Immoral Traffic Act as well as Sections 370, 370-A, 342, 323, 506/120-B IPC.
2. The FIR was lodged at the instance of Marjina @ Heena d/o Karnail Singh wherein it is alleged that she does the work of orchestra and had been working with orchestra of Sonu Samana @ Om Parkash. It

is alleged that Sonu Samana @ Om Parkash used to allure innocent girls on the promise of earning more money and thus used to send them to a woman namely Naina Gill in Kolkata, who used to force the young girls into flesh trade. It is alleged that the complainant was also left by Sonu Samana in Kolkata in connivance with Naina Gill about 1 ½ years back where she was kept confined by Naina Gill and whenever the complainant refused to indulge into flesh trade, she used to be given beatings and also was inflicted with burn injuries with a hot pan (*tawa*) and twister (*chimta*).

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged by the complainant Marjina @ Heena and that in fact the credentials of the complainant herself are doubtful inasmuch as an identical FIR also stands lodged against her i.e. FIR No. 1110, dated 29.9.2016, Police Station Baguiati, District North 24 Parganas, under Sections 370-A(2), 370, 371, 344, 341, 325, 386, 24, 120-B IPC (Annexure P-3).
4. Learned counsel has further submitted that in the instant case the co-accused Naina Gill had been granted interim bail by this Court vide order dated 9.10.2020 passed in CRM-M-31951-2020 (Annexure P-2).
5. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and categorical allegations have been levelled against him, no case for grant of bail is made out. Learned State counsel has however, informed that the

petitioner has been behind bars since the last about 6 months and that he is not wanted in any other case and that challan stands presented.

6. Having regard to the aforestated factual position wherein investigation has already concluded and challan has been presented and while noticing that the petitioner has already been behind bars since the last about 6 months, further detention of the petitioner will not serve any useful purpose particularly when the petitioner is not even stated to be involved in any other case. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

March 26, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No