

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

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**CRM-37274-2021 and CRM-37275-2021
in CRM-M-44522-2021
Date of Decision: 03.11.2021**

Ritik Sharma

....Applicant/Petitioner

Versus

State of U.T.Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. J.S.Dadwal, Advocate for applicant/petitioner.

Mr. A.M.Punchhi, Public Prosecutor, U.T., Chandigarh.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-37274-2021

This application under Section 482 Cr.P.C. is for preponing the
date of hearing of the main petition, which is already fixed for 13.01.2022.

Notice of application.

At the asking of Court, learned counsel for respondent-U.T.
Chandigarh accepts notice and stated that he has no objection if application
is allowed.

In view of the grounds mentioned in the application and no
objection by learned State counsel, hearing of the main petition is preponed
and is taken on Board today itself.

CRM is allowed.

CRM-37275-2021

This is an application under Section 482 Cr.P.C. for placing on record documents Annexures P/3 to P/6.

Documents (Annexures P/3 to P/6) are taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C for grant of regular bail has been moved by petitioner-**Ritik Sharma** in case FIR No.145 dated 26.07.2020 under Sections 3, 4, 5, 6 and 7 of Immoral Traffic (Prevention) Act, 1956, registered at Police Station Sector-36, Chandigarh.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that co-accused namely Gourav Sharma, Rajesh Kumar, Neelam Kaur and Rocky Thapa have already been extended concession of regular bail by this Court, vide orders dated 10.11.2020, 01.12.2020, 05.02.2021 and 13.07.2021 passed in CRM-M-34323-2020, CRM-M-37301-2020, CRM-M-40625-2020 and CRM-M-24581-2021 respectively. He further submits that petitioner is languishing in custody since 22.09.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court on 14.10.2021 for commission of offence punishable under Sections 3, 4, 5, 6 and 7 of Immoral Traffic (Prevention) Act, 1956. He further urges that since

trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned counsel for respondent-U.T. while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 22.09.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Ritik Sharma** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Chandigarh, as the case may be.

(LALIT BATRA)
JUDGE

03.11.2021

Varinder Prashad

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