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

CRM-M No. 47738 of 2021
Date of Decision: 22.12.2021

Ravi Sharma

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vivek Goyal, Advocate,
for the petitioner.
Mr. Vishal Malik, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of regular bail in his second attempt under Section 439 Cr.P.C in case bearing FIR No.379 dated 11.04.2020, registered under Sections 3,4,5(d) (ii), 6 and 7 of ITP Act, under Section 188, 370(1) (5), 420 IPC and under Section 6 (2A), 8 of POCSO Act and under Section 51 of Disaster Management Act at Police Station City Thanesar, District Kurukshetra.

CRM-M No.20153 of 2021 was got dismissed as withdrawn by way of filing an application for withdrawal of the same.

As per allegations in the FIR, petitioner along with Nisha Talwar are involved in prostitution. They used to bring the

girls from outside and sent them with Naveen Kumar, Ravi Kumar and Umesh Kumar for prostitution purposes. On the basis of secret information, FIR was registered and raid was conducted in a hotel owned by Mohit. The victims were recovered from the place and their statements were recorded under Section 164 Cr.P.C., however the victims refused to get themselves medico legally examined, but later on, they were got medico legally examined when their family members came there.

Learned counsel for the petitioner submits that even Nisha Talwar has been granted regular bail by the High Court vide order dated 09.11.2021 passed in CRM-M No.11567 of 2021. Other co-accused namely Umesh Kumar, Ravi Kumar, Naveen Kumar and Mohit have already been granted regular bail by the High Court in CRM-M No.15710 of 2020, CRM-M No.16965 of 2020, CRM-M No.39080 of 2020 and CRM-M No.17338 of 2020. Both the victims have also resiled while appearing as PW6 and PW7. Their cross-examinations have not yielded any incriminating information against the petitioner.

Learned counsel further submits that in view of aforesaid status of the case, petitioner is the only person who is in custody and other co-accused have already been enlarged on regular bail.

The factual position of the case is not in dispute.

Learned State counsel, however, opposed the bail on the ground of heinous offence. Only 07 prosecution witnesses out of 23 prosecution witnesses have been examined.

Having considered the aforesaid position, I am of the view that bail can be granted to the petitioner on parity with other co-accused who have already been granted regular bail by the High Court. Petitioner is the driver of the main accused namely Nisha Talwar who has already been granted regular bail vide order dated 09.11.2021.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate personal bonds/surety bonds in a sum of Rs.3 lacs each to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

22.12.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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