

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

233

CRM-M-7814-2022 (O&M)

Date of Decision: 03.03.2022

KARAMJIT SINGH @ MANNI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this 2nd petition, the petitioner seeks regular bail in case bearing FIR No.300 dated 05.09.2020, registered at Police Station Chandimandir, District Panchkula, under Section 370(3) IPC and Sections 3, 4, 5 and 6 of Immoral Traffic (Prevention) Act.

Learned counsel for the petitioner submits that the petitioner has neither been named in the FIR nor he was present/arrested at the spot; that the petitioner has been indicted in the present case on the basis of the disclosure statement of co-accused, namely, Isham Singh, who has already been granted the concession of regular bail by this Court on 17.02.2022 and that the petitioner has been in custody since 05.09.2020. He further submits that both victims, namely, Manpreet Kaur @ Aman and Sarabjit Kaur @ Soniya, in their statements under Section 164 Cr.P.C., recorded on 05.09.2020, have not named the petitioner.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with co-accused, while conniving with each other, have indulged themselves in immoral activities and are giving bad name to the society. He further submits that both the victims, in their statements under Section 164 Cr.P.C., have specifically stated that the co-accused had left them in the hotel. He further submits that there are total 27 prosecution witnesses and that the prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05.09.2020. The petitioner was not arrested at the spot. The petitioner has neither been named in the FIR nor in the statements of the victims recorded under Section 164 Cr.P.C. Prosecution evidence is yet to conclude. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.03.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

: *Yes/No*

Whether reportable

: *Yes/No*