

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

CRM-M-11357-2022 (O&M)

Date of decision: 25.08.2022

Harjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Gagandeep Singh Chhina, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this second 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 the Immoral Traffic (Prevention) Act, 1956.

Reply by way of affidavit dated 18.08.2022 of the Assistant Commissioner of Police, Panchkula, already filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner was not named in the FIR and there is no specific allegation against the petitioner; that the petitioner has been in custody since 06.09.2020 and that co-accused namely, Gurjeet Singh @ Gagan stands enlarged on anticipatory bail whereas co-accused, namely, Isham Singh and similarly placed-Karamjit Singh @ Manni, are on regular bail by this Court.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the allegations against the petitioner are serious in nature and the petitioner has been specifically named by the victims in their statements recorded under Section 164 Cr.P.C. However, he does not dispute the custody period of the petitioner. He submits that charges have been framed and the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 06.09.2020. The petitioner was not named in the FIR. Though the petitioner was specifically named by the victims in their statements recorded under Section 164 Cr.P.C. yet there is no specific allegation against the petitioner. Co-accused namely, Gurjeet Singh @ Gagan stands enlarged on anticipatory bail whereas co-accused, namely, Isham Singh and similarly placed-Karamjit Singh @ Manni, are on regular bail by this Court. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, 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 petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

25.08.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No