

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

226-A

CRM-M-61076-2022  
Date of decision: 22.02.2023

SONIA @ SONU @ VIRPAL KAUR AND ANOTHER

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

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Present : Mr. G. S. Nagra, Advocate  
for the petitioners.

Mr. Kamalpreet Bawa, AAG, Punjab.

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AMAN CHAUDHARY. J.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in respect of FIR No. 96 dated 08.11.2022 under Sections 3, 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, 1956 registered at Police Station Verka, District Police Commissionerate Amritsar.

Learned counsel contends that the petitioners have been in custody since 07.12.2022. Petitioners were arrested only being the owner of the house in question. The co-accused who were arrested at the spot namely Deepak Kumar and Nachattar Singh @ Sattu have been granted bail by the trial Court vide Annexures P-3 and P-4 respectively. The petitioners are not involved in any other case and the challan is yet to be presented.

Learned State counsel opposes the bail on the ground that the petitioners were owners of the house in question and were named in the FIR.

However, he is unable to controvert the other submissions made by learned

counsel for the petitioner in particular with regard to custody, the petitioners being not involved in any other case and that the co-accused having been granted regular bail.

Heard.

In view of the facts and circumstances of the case, in particular that the petitioners have been in custody since 07.12.2022; he is not involved in any other case; challan has not yet been presented; the trial is likely to take a considerable time, their further detention behind bars would not serve any useful purpose, thus the present petition for grant of regular bail deserves to be allowed.

As a result, the present petition is allowed. The petitioners are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to them not being required in any other case. The petitioners shall abide by the following conditions:-

1. The petitioners will not tamper with the evidence during the trial.
2. The petitioners will not pressurize/ intimidate the prosecution witnesses.
3. The petitioners will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
4. The petitioner shall not commit an offence similar to the offence of which, they are accused, or for commission of which they are suspected of.
5. The petitioners shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
6. The petitioners shall not in any manner misuse her liberty.

7. The petitioners shall furnish their address and mobile number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioners seek to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.
8. The petitioners shall deposit their passport, if any, with the Trial Court forthwith and in case, they do not have the passport, they shall furnish a specific affidavit in this regard.

It is made clear that in case of any infraction of any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioners by this order.

In view of the above, this Court makes it clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)  
JUDGE

22.02.2023  
Mehak

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