



CRM-M-10206 of 2024(O&M)

Item No.211

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

CRM-M-10206 of 2024(O&M)

Date of decision : 17.05.2024

Bharat Bushan

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Chandan Singh Rana, Advocate,
for the petitioner(s).

Mr. Praveen Bhadu, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.127 dated 26.03.2023, under Section(s) 4, 5, 7 and 8 of the Immoral Trafficking Act, 1956, and under Sections 67 and 67A of the I.T. Act, 2009 and under Section 370 of the Indian Penal Code, 1860, registered at Police Station Kurukshetra University, District Kurukshetra.

2. Allegations are that immoral trafficking was being run by the co-accused Nisha Talwar and Rajeev Kumar @ Sanjay while creating a webpage which bears the phone number of co-accused Rajeev Kumar and victims were brought from Punjab in two cars by the petitioner for being supplied to various customers in Haryana.

3. Sole contention raised by the petitioner is that all the victims, who were cited as prosecution witnesses, have turned hostile and no one is supporting the case. Also contends that petitioner is in

**CRM-M-10206 of 2024(O&M)**

custody since 27.03.2023, therefore, no useful purpose would be served by keeping him in custody

4. Learned State counsel after obtaining instructions from quarter concerned is not able to controvert the above factual position.

5. Heard both sides and perused the paper-book.

6. Concededly, petitioner is in custody since 27.03.2023; conclusion of trial will take sufficient long time. It is not the allegation that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial, in any manner. As on today, none of the prosecution witnesses is supporting the charges against the petitioner. Thus, in such a scenario, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

CRM-M-10206 of 2024(O&M)

11. Pending application(s), if any, shall also stand disposed off.

17.05.2024

monika/v

Whether speaking / reasoned :

Whether Reportable :

(MAHABIR SINGH SINDHU)

JUDGE

YesNo

YesNo