

In the High Court for the States of Punjab and Haryana
At Chandigarh

I) CRM-M-23484-2023 (O&M)

Tarun Kumar ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-30711-2023 (O&M)

Binder ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-11.1.2024

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Neeraj Jain, Advocate,
for the petitioner in CRM-M-23484-2023.

Mr. Munish Behl, Advocate,
for the petitioner in CRM-M-30711-2023.

Mr. Ramender Singh Chauhan, Asst. Advocate General, Haryana

FIR No.	Dated	Police Station	Section/s
157	23.3.2023	Mahesh Nagar, Ambala Cantt. District Ambala, Haryana	3, 4, 5 & 6 of Immoral Traffic (Prevention) Act, 1956 and Section 370 of Indian Penal Code, 1860

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Tarun Kumar and Binder seeking grant of regular bail in respect of abovementioned FIR.
2. The allegations, in nutshell, are that on 23.3.2023, a secret information was received by the police to the effect that petitioner – Tarun Kumar (in CRM-M-23484-2023) and petitioner – Binder (in CRM-M-30711-2023) are running a brothel in their rented house situated in Pooja Vihar, Near Gargi Gas Agency in Ambala Cantt. Pursuant to receipt of said information, a raid was conducted at the given address and the aforesaid two accused were arrested by the police alongwith two other ladies and the accused were found to be running brothel.
3. Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case and that there is no convincing evidence to suggest that the petitioners were running any brothel. It has further been submitted that the petitioners have been bars for a substantial period of more than 9 months and, as such, the petitioners are not required to be detained any longer.
4. Opposing the petitions, learned State counsel submitted that since the petitioners are specifically named in the FIR and were caught red-handed, no leniency in the matter of grant of bail is required to be shown to the petitioners. It has, however, not disputed that the petitioners have been behind bars since the last more than 9 months and that the petitioners are not involved in any other case. It has also been informed that as on date 1 PW out of the cited 13 PWs has been examined.

5. This Court has considered the rival submissions addressed before this Court.
6. The petitioners have been in custody for a substantial period of more than 9 months. Conclusion of trial is likely to consume time inasmuch only 1 PW out of the cited 13 PWs has been examined till date. The petitioners otherwise are stated to be enjoying a clean record. In these circumstances, further detention of the petitioners will not serve any useful purpose. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
7. A copy of this order be placed on the file of connected case.

11.1.2024
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No