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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2574/2019

SURESH CHAKMA

..... Petitioner

Through: Mr. Gunjan Singh, Ms. Ankita
Wilson and Mr. Arun Kasi, Advs.

versus

STATE

..... Respondent

Through: Mr. Amit Ahlawat, APP for the State
with SI G.R.Meena, P.S.Ranjit Nagar
and SI Davender Malik, Special
Branch.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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04.12.2019

1. The present petition has been filed seeking bail in a case arising out of the FIR No. 257/2017, P.S.Ranjit Nagar, Under Sections 323/344/354/370/374/343/34 of IPC, read with Section 16/17 of Bonded Labour System Abolition Act and Section 75/79 of Juvenile Justice Act, District Central, Delhi, on the complaint of Mr. Jatin Goel, District Central, Delhi, on the complaint of Mr. Jatin Goel, SDM in his complaint has alleged that a joint rescue operation of child/bonded labour was conducted consisting of combined team of Revenue, Police, Labour and Health Department along with NGOs and officers of Assam Bhawan (Delhi) and Jharkhand Bhawan (Delhi). At the residence of the operation, several victims including two minor girls, one male and three year old child was rescued from the premises bearing no. 2712, 13, Ranjet Nagar, Ground Floor, Gali

No. 13, Patel Nagar, New Delhi, and the premises bearing no. 1567/01 Upper Ground Floor, Mandir Wali Gali Shadipur, New Delhi. In both the premises one Ram Bilas Paswan was running a Placement Agency under the name of R.B.Placement Agency. During the investigation, statement of the witnesses were recorded and one witness namely Smt. Shakuntala Parja has stated that she is a resident of Jorhat, Assam and the petitioner was known to her. On the pretext of getting her a job in a cloth shop, petitioner brought her to Delhi and left her at R.B.Placement Agency from where she was sent as a maid to a house where she worked for three years. It is alleged by this witness that no amount was paid to her towards her salary. The charges against the petitioner in the instant case have been framed only under Section 370 of the IPC though the case involves offences under Sections 323/344/354/370/374/343/34 of IPC.

2. It is submitted by the counsel for the petitioner that petitioner is in Judicial Custody since 13.10.2017 and there are no allegations of any sexual exploitation against the petitioner. He further submits that the petitioner himself was a bonded labour and the entire operation was undertaken on the basis of his complaint to the SDM which was lodged by him on 8.8.2017. It is further submitted that two of the co-accused namely Anita Paswan, wife of the main accused Ram Bilas Paswan and Dhan Bhakta had already been granted bail and he seeks parity with them.

3. On the other hand, learned APP for the State submits that the allegations against the petitioner are grave and serious in nature. It is

further submitted that the petitioner is involved in human trafficking and he used to receive commission from Ram Bilas Paswan on each girl/man/woman provided by him to Ram Bilas Paswan.

4. Keeping in view the facts and circumstances of the case, and the fact that the petitioner is in judicial custody since 13.10.2017, and two co-accused who have been granted bail, no useful purpose will be served in keeping the petitioner in judicial custody. Accordingly, the petitioner is admitted to bail, subject to the following conditions:-

(i) The petitioner shall furnish personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the trial court.

(ii) Prior to his release, he shall give the telephone numbers of self and at least one other responsible family member besides that of the surety to the trial court.

(iii) He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or delay to its progress.

(iv) He shall not engage in any criminal activity;

(v) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(v) He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court.

5. The bail application stands disposed of in terms of the aforesaid.

6. A copy of this order shall be transmitted to the jail authorities and to the trial court.

Dasti.

RAJNISH BHATNAGAR, J

DECEMBER 04, 2019

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