

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-4394 of 2015

Date of decision:- May 21, 2015

Balwinder Kaur @ Pinki @ Balwindro

.....Petitioner..

Vs.

State of Punjab

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Rakesh Kumar, Advocate
for the petitioner.

Mr. Jaspreet Singh Sekhon, AAG, Punjab.

JASPAL SINGH, J. (Oral)

The present petition has been preferred by Balwinder Kaur @ Pinki @ Balwindro-petitioner, under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail, feeling apprehension of her arrest, in case bearing FIR No. 5, dated 06.01.2015, under Sections 3, 4, 5 of the Immoral Traffic Act, 1956 (SIT Act renamed), registered at Police Station City Kapurthala, District Kapurthala.

2. At the time of issuance of notice of motion, following order was passed by a coordinate Bench of this Court on February 10, 2015:-

“Petitioner seeks concession of pre-arrest bail in a

case registered on the basis of secret information that the petitioner had been indulging in acts of human trafficking in her house by permitting the couples to come from outside and indulge in immoral and illegal activities. No raid was conducted. Petitioner claims that she has been involved in the case because she filed representations.

Notice of motion to the Advocate General, Punjab, for 10.4.2015.

On asking of the Court, notice has been accepted by Mr.C.S.Brar, DAG., Punjab, present in the Court. Copy given.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 21.2.2015 and 14.3.2015. In case of petitioner doing so, she will be released on interim bail to the satisfaction of the arresting officer.”

In compliance of aforesaid order, learned State counsel on instructions from HC Major Singh has submitted that petitioner has already joined the investigation on 21.02.2015 and she is not required for further interrogation. Even otherwise, presentation of challan as well as its disposal is likely to take sufficient long time.

3. So, taking into consideration all these aspects of the case, order dated February 10, 2015, is made absolute, subject to the following conditions, as envisaged under section 438(2) Cr.P.C:

- (i) that the petitioner shall make herself available for interrogation by a police officer as and when required;*
- (ii) that the petitioner 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 her from disclosing such facts to the Court or to any police officer;*

(iii) that the petitioner shall not leave India without the previous permission of the Court.

**(JASPAL SINGH)
JUDGE**

May 21, 2015
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