

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

CRM-M-10767-2016 (O&M)
Date of decision : 01.09.2016

Vicky @ Shashi and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ajay Jain, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by SI Mani Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in case FIR No.72 dated 24.02.2016, under Sections 3 and 5 of the Immoral Traffic (Prevention) Act, 1956 and Sections 370 and 120-B of the Indian Penal Code, at P.S. Sector 5, Panchkula.

Heard.

On 04.04.2016, the following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioners namely, Vicky @ Shashi Bhochadia & Ravinder Kumar Sharma in case FIR No.72 dated 24.02.2016 for offences punishable under Sections 3,5 of Immoral Traffic Act, 1956 and Sections 370 and 120-B IPC registered with Police Station Sector 5, Panchkula.

The police raided house no.1133, Sector 10, Panchkula on secret information on 24.02.2016 and apprehended co-accused Virender Sharma and Prem Sharma on the ground of running a prostitution racket. One of the girls apprehended alleges that she and other girls were forced into prostitution by the present

petitioner-accused.

It is contended that petitioner no.2 is a lease holder of the premises and petitioner no.1 is his friend and taking the allegations on the face value at best an offence under Sections 3/5 of the Prevention of Immoral Traffic Act would be made out. Since the apprehended girl is 32 years old and has never at earlier point of time made a complaint regarding being forced into prostitution.

Notice of motion for 19.05.2016.

Petitioners shall join investigation as and when called by the police.

Till the next date of hearing, in the event of their arrest petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, they shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 04.04.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

01.09.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No