

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-35737-2018

Date of Decision:07.09.2018

Rrakhong Mungaomk Lang and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. N.S. Shekhawat, Advocate,
for the petitioners.**

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.510 dated 04.07.2018 under Sections 3/4/5/7/8 of Immoral Trafficking (Prevention) Act, 1956, Section 120-B IPC, Section 14(i)(b) of Foreigners Act and Section 3 of the Passports Act, registered at Police Station DLF, Sector-29, Gurgaon.

The FIR was registered on a secret information that in shop No.28 in Sector 29 market, namely 'SPA Time' in the name of massage, customers are attracted by the ladies and under the garb of massage, business of prostitution is going on. The information was found to be believable. The police-party headed by Inspector/SHO Kanta Devi reached at shop No.28 and entered at SPA Time. The police-party found that the business of prostitution under the garb of SPA was being done.

Learned counsel for the petitioners has argued that apart from the fact there are false allegations against the petitioners, at the time of alleged raid, the petitioners along with other co-accused were arrested, whereas other similarly situated co-accused have been admitted on bail. The petitioners have been denied bail presumably being foreign nationals. They are in custody since 04.07.2018 and the trial in the case will take sufficient long time. He further states that there is no other case against the petitioners of similar nature.

On the other hand, learned State Counsel on instructions from ASI Sandeep Kumar does not dispute the fact that challan in this case was presented on 31.08.2018. But as the petitioners were found indulged in immoral trafficking activities, they were arrested at the spot and since the petitioners are foreign nationals belonging to Thailand, in case they are admitted on bail, there is a strong possibility that they may leave the country leaving the trial in lurches.

I have heard learned counsel for the parties.

The grant of bail to other co-accused is not in dispute. Merely because the petitioners are foreign nationals is no ground to dis-entitle them from the relief of regular bail when the other similarly situated co-accused have been admitted on bail. The petitioners are in custody since 04.07.2018, therefore, I deem it appropriate to release them on regular bail. However, considering the fact that they are foreigners, some severe condition is required to be imposed while admitting them on bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail, subject to furnishing of their bail bonds/heavy

surety bonds to the satisfaction of trial Court with an undertaking that they will not leave the country and their passports would not be released without permission of the Court.

September 07, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No