

208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8260-2019

Date of decision-28.02.2019

Sachin Kumar

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.K.Daaria, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Rajender.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in case FIR No.14 dated 09.01.2019 under Sections 3, 4, 5, 6 and 7 of Immoral Traffic Act, 1956 registered at Police Station Sector-29, Gurugram.

According to the prosecution, acting upon a secret information, a raid was conducted at Alive Day Spa, 2nd Floor, Shop No.204/204-A, MG Road, Sahara Mall, Gurugram, as it was alleged that in the said premises prostitution activities are being done and if raid is conducted many girls and their customers can be apprehended red-handed. After obtaining the necessary permission for conducting raid, the team of officers along with decoy customers conducted the raid and the information delivered by the Police was found to be correct as the decoy customers were promised

services as desired by them. After completion of the raid, Manager Jaswan Singh was arrested who informed that the owner of this Alive Day Spa is Sachin Kumar (petitioner).

Learned counsel for the petitioner has contended that the shop No.204/204-A actually belongs to him but has been rented out on sub-lease to Jaswant Singh son of Suresh. It is pointed that the petitioner has no concern with the affairs of the Spa or the activities going on there.

On the other hand, learned State counsel assisted by ASI Rajender has opposed the bail application on the ground that it is the petitioner who is actually running the racket and statement of witnesses, namely, Kavita, Suman, Mamta, Pooja and Sneha have been recorded wherein they have mentioned about the petitioner being owner of the Spa. Similar is the version of the Manager-Jaswant Singh who was arrested from the spot.

Considering the serious allegation against the petitioner, no case is made out for grant of extra ordinary concession of anticipatory bail to the petitioner.

Consequently, petition is dismissed.

(MANOJ BAJAJ)
JUDGE

28.02.2019
vanita

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