

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

CRM M-5702 of 2020

Date of Decision: August 05, 2020

(1)	Kamlesh Rani	Petitioner
	Versus	
	State of Punjab	 Respondent

CRM M-47771 of 2019

(2)	Sunny Gill @ Bharat Gill	Petitioner
	Versus	
	State of Punjab	 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Pawan Kumar Mutneja, Advocate
for the petitioner in CRM M-5702 of 2020.

Ms. G.K. Mann, Advocate
for the petitioner in CRM M-47771 of 2019.

Mr. Amit Mehta, Sr. DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through
video-conferencing on account of lockdown due to outbreak of
pandemic COVID-19.

The above two second regular bail applications

under Section 439 Cr.P.C. of both the accused/petitioners having arisen in the same very FIR No. 28 dated 30.04.2019 under Sections 419, 420, 384, 323, 341, 342, 367, 370-A(2), 376, 506 and 201 IPC and Sections 3, 4, 5, 5-A of Immoral Traffic Prevention Act, 1956 are being disposed off conjointly.

The brief facts brought to the notice of this Court are that complainant Amrit Pal Kaur claiming to be aged around 22 years running a beauty parlour at her village met one Dharminder Gill, father of petitioner Sunny Gill @ Bharat Gill about 2/3 years prior to registration of this FIR. It is claimed that Dharminder Gill had visited her for marriage proposal of her sister Baljinder Kaur and at that time wife of Dharminder Gill too was present. The same did not materialize. It is, thereafter, Dharminder Gill is alleged to have met the complainant and gave his visiting card and offered her employment with petitioner Kamlesh Rani who too was running a beauty parlour. The complainant took job with her where boys too used to visit. The complainant alleged that one day both the accused Kamlesh Rani and Dharminder Gill deceptively gave her a sedative and while she was in a semi-conscious state was made to have physical relations with a boy regarding which they prepared a video. On the basis of this proof, it is alleged that the accused started blackmailing her. During the course of time,

other women Aman, Sonia and Nancy joined in this group alongwith Amit, Happy, Sunny and Money, the latter two, sons of Dharminder Gill. It is alleged that thereafter accused Dharminder Gill and his cohorts under their plans sent her to a Bank Manager of UCO Bank in Jalandhar and, thereafter, she was beaten by Dharminder Gill and on instructions of Dharminder Gill, the Bank Manager was threatened, blackmailed and made to part with his money of Rs.3,50,000/-. Such an evil design by Dharminder Gill as per the allegations continued and she was made to lay honey-trap of a sweet shop owner (Halwai) and from whom too they fleeced Rs.90,000/-. In a similar fashion a cloth shop owner was blackmailed of Rs.5,00,000/- and another property dealer too fell in this trap as per the *modus operandi*.

Both the sons of Dharminder Gill including the petitioner and Nancy used to impersonate as police officials. The complainant claimed that she was sexually exploited by the accused in similar fashion sending her to various persons under this threat and it is consequent thereupon the present case was got registered.

Mr. Pawan Kumar Mutneja and Ms. G.K. Mann, learned counsel for the petitioners have argued that the complainant happens to be a grown up mature lady and had volunteered into this trade on her own and there are no specific

allegations against the petitioners regarding commission of the offence. Much stress has been laid by Mr. Mutneja, learned counsel for petitioner Kamlesh Rani that she is a 55 years old lady whose son has died and she is having cardiac problems.

On behalf of accused/petitioner Sunny Gill @ Bharat Gill, it is pleaded that he is a young boy; has been simply roped in being son of Dharinder Gill and behind the bars since a long time and the trial is not likely to be accomplished in near future.

Giving a thoughtful consideration to the submissions of the two sides and closely perusing the records what one can discern is that neither the complainant nor the accused are persons who are above board. What the Court gathers from these submissions that both the sides are carrying on this racket of flesh trade and honey-trap the people for a motivated cause. The same is well illustrative from the admitted stand of the two sides that even the complainant is facing the same charges in many other criminal cases. The allegations apparently have come about after the parties appear to have fallen apart over sharing of the booty. With the fast economic development of the State of Punjab, a growing lust for money and status have grown into the minds of the people and thus they are throwing themselves into such immoral, unethic and illegal activities to earn a fast buck. Discerning overall perspective of the things before this Court, it would be in the larger interest of the society

if such like incorrigible people are made to languish in jail as it would bring about some solace to the society. This Court is not inclined to allow the bail applications.

Accordingly, the same stand dismissed.

August 05, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No