

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

CRM-M-30305-2021

Date of decision : 02.08.2021

Paramjit Kaur

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Joginder Pal Devgan, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

RAJESH BHARDWAJ, J.

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.240 dated 23.09.2020, under Sections 3, 4, 5, 6, 7 of Immoral Traffic Prevention Act 1956; Sections 376-D, 384, 342, 506, 120-B of Indian Penal Code, 1860 and Sections 3, 4, 6 of Protection of Children from Sexual Offences Act (Amended) 2012, 2019 at Police Station City Patti, District Tarn Taran (Punjab).

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR. No offence as alleged is made out against the petitioner. He further contends that the petitioner is a lady of 38 years of age and earlier she was released on her personal/surety bonds on account of her ill-health which has been annexed as Annexure P-3.

I have heard counsel for the petitioner and perused the record of the case.

The FIR in question was lodged on 23rd September, 2020 on the basis of which, the police raided the hotel concerned. During the raid, the petitioner was apprehended with one man in a room and in other room the ladies and men were found. Besides this, some other objectionable material were also recovered by the raiding party.

Learned State counsel has opposed the contentions raised by counsel for the petitioner and has submitted that the thorough investigation is required in this case for which the custodial interrogation is necessary.

After looking into the allegations and material on record, this Court finds that the custodial interrogation is the necessity in the facts and circumstances of the case. Besides this, enlarging the petitioner on the anticipatory bail would definitely hamper a free and fair investigation and thus, the petition fails to qualify the parameters enumerated in Section 438 Cr.P.C. Thus, the petition being devoid of any merits, is hereby dismissed.

(**RAJESH BHARDWAJ**)
JUDGE

02.08.2021
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No