

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

**Sr. No.201**

**CRM-M-42509-2020  
Date of Decision: 12.01.2021**

**MANOJ KUMAR**

**...Petitioner**

**VERSUS**

**STATE OF PUNJAB**

**...Respondent**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Abhinav Gupta, Advocate,  
for the petitioner.

Mr. Sandeep Vermani, Additional Advocate General, Punjab.

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**ARCHANA PURI, J.**

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

This is second petition under Section 439 Cr.P.C. making prayer for grant of regular bail to the petitioner in case bearing FIR No.175 dated 28.09.2020 under Section 3, 4, 5 of Immoral Traffic (Prevention) Act, 1956 and Section 4 of Protection of Children from Sexual Offences Act, 2012 (added later on), registered at Police Station Kotwali, Bathinda.

Heard on the bail petition. Custody certificate filed by learned State Counsel is taken on record.

As per version of the prosecution, the aforesaid case was registered in pursuance of the secret information received to the effect that the present petitioner, namely, Manoj Kumar, owner of Hotel Paras, was indulging in business of prostitution in his hotel. He used to call girls/women from nearby villages to his hotel for flesh trade and supply

them to the young boys, trapped by him and for this purpose, he was receiving hefty amount, out of which, some part is given to the girls and residue was retained by him. Also, information was received on that very day that he had called girls and boys in hotel rooms for the same purpose. In pursuance of the secret information, case was registered and thereupon, raid was conducted at the hotel and the petitioner along with fellow-accused was also arrested. During the course of the investigation, addition of offence under Section 4 of Protection of Children from Sexual Offences Act, was also made.

Now, it is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present petition and he has no role to play. It is further contended that fellow-accused have already been released on bail by various orders. The petitioner is in custody since 28.09.2020. Challan has though been presented, but the charge has yet not been framed.

In these circumstances, the prayer is made for grant of regular bail, as it is submitted that the subsequent trial after framing of the charge, is likely to consume much time.

On the contrary, learned State Counsel has resisted the claim for grant of regular bail, tooth and nail. He submits that allegations against the petitioner are of grave nature and he is owner of the questioned hotel.

May it be so, one has to take into consideration that the petitioner is in custody since 28.09.2020. Even, fellow-accused, namely, Vishavjeet Singh, Gurvinder Singh, Ramandeep Kaur and Sukhdeep Kaur, have already been granted the benefit of regular bail.

Considering the investigation having been completed and challan having been presented and the fact that subsequent trial is likely to take time, at this stage, I deem it appropriate to grant the benefit of regular bail to the petitioner.

Accordingly, the instant petition is hereby allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate Concerned.

**(ARCHANA PURI)**  
**JUDGE**

**12.01.2021**

*Himanshu*

Whether speaking/reasoned

**Yes**

Whether reportable

**No**