

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

CRM-M-29829-2022 (O&M)
Date of Decision:- 27.7..2022

Pooja @ Laxmi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Fatehjeet Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in a case registered against her vide FIR No. 124 dated 24.6.2022 under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 IPC at Police Station Division No. 7, District Police Commissionerate, Jalandhar
2. The FIR was lodged pursuant to receipt of a letter from Special Director General of Police Intelligence, Punjab, Mohali wherein it is alleged that it had come to be known that Pooja, Geeta and Priya who are real sisters had opened a Saloon under the name and style of Sparkle Unisex Saloon and Academy, SCO 39, Urban Estate, Phase-2, Jalandhar where they are infact running a business of prostitution and for which they were helped by Sonu Sikander, former President, S.C. Morcha, BJP, Jalandhar.
3. It is the case of prosecution that pursuant to receipt of said information, a decoy customer namely Steefan was associated with the police party headed

by Inspector, CIA Staff, Jalandhar which also included lady police officials. Currency notes, whose serial numbers had been noted down by the police, were handed over to the decoy customer who went to the Saloon. Upon a signal, having been given by the decoy customer, the police raided the premises where the decoy customer was found in an objectionable state with massage therapist and two girls were also found.

4. The learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that there is no credible evidence to show that the petitioner was involved in any kind of flesh-trade. It has further been submitted that since an identically situated co-accused namely Geeta Devi, who is also named in the FIR, has already been granted bail by the trial Court, the petitioner also deserves the same concession on grounds of parity.
5. Opposing the petition, the learned State counsel has submitted that in view of the serious nature of allegations which have been duly substantiated pursuant to a raid having been conducted where the decoy customer was found in an objectionable state with woman, no case for grant of anticipatory bail is made out. The learned State counsel has submitted that the case of the petitioner is on a different footing from that of co-accused Geeta, who has been granted bail inasmuch as the premises in question had been taken on rent by the petitioner and it is the petitioner who alongwith one Deepak owns the firm M/s Sparkle Unisex Saloon and Academy and in respect of which police has collected the registration Certificate dated 22.3.2016.
6. I have considered rival submissions addressed before this Court.

7. The allegations as levelled in the FIR stand clearly substantiated upon a raid having been conducted at the premises of the petitioner i.e. M/s Sparkle Unisex Saloon and Academy wherein the decoy customer was found in objectionable position. The currency notes, whose serial numbers had been noted down by the police and had been handed over to the decoy customer were recovered from the care taker Rahul. Even one of the victim girl has made a statement to the effect that M/s Sparkle Unisex Saloon and Academy is being run by Pooja and one Aryan. The Registration Certificate collected by the police clearly shows that it is the petitioner who is the owner of the firm in question. It is also borne out that the petitioner had taken the premises on rent. The custodial interrogation of the petitioner would be necessary to unearth as to who else is involved in the flesh-trade.

8. The petition, as such, is sans merit and is hereby dismissed.

27.7.2022

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No