

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

210

CRM-M-43758-2021

Date of Decision: 15.03.2022

Ushmeet Singh @ Prince

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sukhinder Singh Behl, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Jagtar Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0187 dated 6.10.2021 at Police Station Division No.7, Ludhiana under Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956.
2. At the time of issuance of notice of motion on 14.10.2021, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0187 dated 6.10.2021 at Police Station Division No.7, Ludhiana under Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956.

The FIR was lodged pursuant to receipt of a secret information to the effect that the petitioner, who is running a paying guest accommodation (PG) in House No.1405, Sector 32, Chandigarh Road, Ludhiana indulges in immoral activities by bringing girls and ladies and thus is into business of immoral trafficking. Pursuant to receipt of said information, a raid was conducted and

as per the case of prosecution, three persons were apprehended namely one Prince Kumar son of Surender Kumar, Nirmala and Sehaj Ram apart from recovery of a cash amount of Rs.1700/- and a guest entry register.

Learned counsel for the petitioner submits that while Sehaj Ram is a Manager working at the said guest house, Prince Kumar and Nirmala, were guests, who had occupied a room after having furnished their ID cards and that they had been accommodated as guests having been duly satisfied pursuant to production of their ID cards and that, in these circumstances, it cannot be said that the petitioner was into immoral trafficking.

Learned counsel for the petitioner has further submitted that infact the FIR has been lodged at the instance of a retired Police Officer namely Kamalpreet Singh Cheema (Retd. Superintendent of Police), who resides in immediate neighborhood of the guest house, who is otherwise opposed to the guest house being run in the residential premises on the ground that he faces some nuisance. It has further been submitted that even on earlier occasions several complaints before authorities such as Municipal Authority, Electricity Department etc. had also been made by the said retired Police Officer.

Notice of motion for 15.3.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.

4. Having regard to the aforesaid position, wherein the petitioner is stated to have joined investigation and is not required for custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 14.10.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

15.03.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**