

CRM-M No.35492 of 2023

2023:PHHC:155598

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

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**CRM-M No.35492 of 2023
Date of Decision: 06.12.2023**

KULWINDER SINGH**.....Petitioner****Vs****STATE OF PUNJAB****....Respondent****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Gurbir Singh Sidhu, Advocate and
Mr. Mohit Kumar, Advocate
for the petitioner.

Mr. Shubham Kaushik, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.65 dated 28.05.2023 registered under Sections 3, 4 & 5 of Immoral Traffic (Prevention) Act, 1956 and Section 370 IPC at Police Station Cantt, Bathinda, District Bathinda.

2. Learned counsel for the petitioner submits that the petitioner has been implicated with the allegations that he being a Manager of Spa Centre, a flesh trade was being carried therein.

3. The prayer made on behalf of the petitioner has been opposed by learned State counsel while referring to the nature of allegations leveled against the petitioner besides his involvement in one more case of similar nature.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.
5. In the present case, the investigation has already stands concluded with filing of challan followed by framing of charges, however, none of the prosecution witness out of total 18 witnesses has been examined so far. Petitioner has already suffered incarceration for a period more than 06 months as of now and he happens to be only Manager of the Spa Centre whereas its owner has been declared innocent by the Investigating Agency.
6. Considering the fact that the petitioner has already suffered incarceration for a period of more than 06 months, I do not find any justification to extend the incarceration of the petitioner.
7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

December 06, 2023	(HARKESH MANUJA)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No