



118

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23022-2024 (O&M)

Date of decision: 09.05.2024

Hargun Singh Bhatia

... Petitioner

Vs.

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Aman Arora, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') seeking quashing of FIR No.143 dated 16.09.2023 under Sections 3, 4, 5, 6, 7 of Immoral Traffic (Prevention) Act, 1956 and Sections 370 & 120-B of the Indian Penal Code, 1860, registered at Police Station South, Sector-34, Chandigarh (Annexure P-1) and all the subsequent proceedings emanating therefrom.

2. Learned counsel for the petitioner, *inter alia*, contends that FIR (*supra*) was registered on the allegations that on 15.09.2023, in the evening, the police raided Lotus Spa Centre situated in Sector-35, Chandigarh, which is

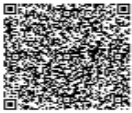


providing the services of massage and they are accepting the payment online as well. The petitioner made online booking for massage through NearBuy app and payment was made through PayTM app and on that day, he was present there. It is further contended that the police has concocted the whole story and the petitioner has been made a scapegoat and he has been falsely implicated in the FIR (*supra*). The aforementioned Spa Centre is duly registered by Chandigarh Administration under Punjab Shops and Commercial Establishments Act, 1958 vide registration certificate dated 22.08.2023 (Annexure P-3). The petitioner has already submitted a detailed representation dated 13.10.2023 (Annexure P-5) to the Senior Superintendent of Police, Chandigarh for cancellation of FIR qua him, but till date, no action has been taken.

3. Learned counsel for the petitioner further submits that at this stage, the petitioner would be satisfied, in case a direction is issued to the Senior Superintendent of Police, Chandigarh to consider and decide the representation dated 13.10.2023 (Annexure P-5) submitted by him in a time bound manner.

4. Notice of motion.

5. On asking of the Court, Mr. Simsi Dhir Malhotra, APP, U.T. Chandigarh accepts notice on behalf of the respondent. Learned counsel for the petitioner is directed to supply copy of complete paperbook to learned APP,



U.T. Chandigarh during course of the day.

6. Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, present petition is disposed of with a direction to the Senior Superintendent of Police, Chandigarh to consider and decide the representation dated 13.10.2023 (Annexure P-5) submitted by the petitioner within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

[HARPREET SINGH BRAR]
JUDGE

09.05.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No