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102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35242-2024 (O&M)

Date of Decision: 25.07.2024

SUMIT GOYAL

.....PETITIONER

Vs.

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Mr. Amrik Singh Narwal, D.A.G. Haryana.

HARPREET KAUR JEEWAN J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 130 dated, 01.06.2024, registered at Police Station Industrial Area, District Bhiwani, under Sections 3 (2) (a), 3 (2) (b), 4 and 5 of the Immoral Traffic Prevention Act, 1956.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is implicated only at the instance of his brother-in-law Jitesh Bansal (‘Jija’), due to old enmity and old dispute.

3. Reference has also been made to the FIR (Annexure P-1), i.e. FIR No. 0621, dated 14.12.2023, under Sections 380/384/506/120-B/34 IPC, registered at Police Station Bhiwani City which is alleged to have been issued at the instance of the father of the said Jitesh Bansal against the petitioner, the said Jitesh Bansal and against the sister of the petitioner. Even a complaint, dated 20.06.2024 (Annexure P-2) is alleged to have been given

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by Jitesh Bansal to the Superintendent of Police, Bhiwani, reflect about the family dispute between Jitesh Bansal and his wife.

4. Notice of motion.

5. Having received advance copy of the petition, Mr. Amrik Singh Narwal, D.A.G. Haryana, accepts notice on behalf of the respondent-State.

6. On the other hand, learned State counsel has opposed the present petition. It is contended that on 01.06.2024, a secret information was received by the police officials that illegally running brothel houses in various hotels and spa centres. Eight police teams were constituted to conduct the raid at the same time. Total seventeen males and twenty one females were apprehended and the statements of all the female victims were recorded. Copies of two victims namely Dxxx and Rxxx, dated 01.06.2024 have been submitted in the Court in vernacular. Referring to the statements, learned counsel for the State has informed that even the said victims had named the petitioner having engaged them.

7. He further submits that the co-accused Jitesh Bansal who was apprehended at the spot has also suffered a disclosure statement during the investigation that the petitioner is running the said sex racket in collaboration with them.

8. I have considered the aforesaid contentions and perused the paper book.

9. As per the prosecution case, 17 males and 21 females were apprehended by different police teams during respective raids conducted at the same time. Mahesh Bansal (co-accused of the petitioner) was arrested from a guest house and there are allegations against the petitioner that he was



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also doing the said illegal activity in partnership with co-accused Mahesh Bansal and Jitesh Bansal. During the investigation, co-accused of the petitioner is alleged to have suffered a disclosure statement depicting the name of the petitioner being a partner with them in the said activities. Apart from the same, the statements of the victims Dxxx and Rxxx submitted by learned State counsel also reflect the role of the petitioner being a partner to the said illegal activities of the co-accused who were arrested at the spot.

10. There are specific allegations against the petitioner. The investigation is at the nascent stage. Custodial interrogation of the petitioner will be more elucidating. Merely on the ground that the FIR (Annexure P-1) has been lodged by the father of the co-accused of the petitioner against the petitioner and other family members cannot be made to disbelieve the prosecution story, at this stage, in view of the statements of the independent witnesses, i.e. the victims Dxxx and Rxx. which have been recorded at the time of the raid.

11. Considering these facts and circumstances, the petitioner is not entitled to the concession of pre-arrest bail. As such, in view of the gravity of the allegations against the petitioner, the present petition stands dismissed.

12. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

13. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 25, 2024
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking
Whether reportable

Yes/No
Yes/No