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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 26.09.2024

1. CRM-M-48475-2024 (O&M)

Jobanjeet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-48483-2024 (O&M)

Rajinder Singh @ Rinku

... Petitioner

Vs.

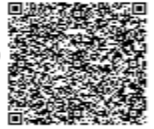
State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ramnish Puri, Advocate
for the petitioner (in both petitions).

Mr. Subhash Godara, Addl. A.G., Punjab.



HARPREET SINGH BRAR, J. (ORAL)

1. This common judgment shall dispose of both the aforementioned petitions as they arise from identical factual matrix. However, for the sake of brevity, the facts are taken from CRM-M-48475-2024.

2. Both these petitions have been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioners in case bearing FIR No.65 dated 02.09.2024 under Sections 3, 4 & 5 of Immoral Traffic (Prevention) Act, 1956, registered at Police Station Mohkampura, District Amritsar.

3. Brief facts of the case are that FIR (*supra*) was registered on the basis of secret information received to the effect that the owner and manager belonging to Chauhan Salon & Spa Centre situated in the nearby area of Golden Avenue (near crossing), Amritsar, in connivance with each other, are running an immoral and illegal prostitution business there and are taking huge amount from the people of that area by trapping them into their talks for the said illegal money oriented work, out of which, some amount is being paid to the victim girls and rest is being divided among the owner and manager and if a raid is conducted at said Spa Centre, they can be apprehended doing the said immoral and illegal business of prostitution.

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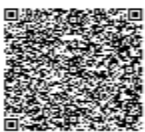


Finding the said information trustworthy, L/Insp, Incharge Special Cell, Amritsar sent a ruqa to Police Station Mehkampura for registration of FIR through ASI Sukhdev Singh, upon which, FIR (*supra*) was registered.

4. Learned counsel for the petitioners, *inter alia*, contends that the petitioners were not named in the FIR (*supra*) and they were not present at the spot, when the raid was conducted. They are not involved in any other case and have clean antecedents. The Spa Centre was set up after obtaining necessary approval from the competent authority. As such, custodial interrogation of the petitioners is not required.

5. *Per contra*, learned State counsel opposes the prayer for grant of anticipatory bail to the petitioners on the ground that petitioner Rajender Singh @ Rinku is owner and petitioner Jobanjeet Singh is manager of the aforementioned Spa Centre. On receiving said secret information, when the raid was conducted by the police personnel, 08 victim girls were recovered from the spot along with 05 customers present in the said Spa Centre and all the eight victim girls made statements with regard to complicity of the petitioners in using the Spa Centre for immoral activities in the society and all the victim girls were compelled to perform immoral activities by the present petitioners and they are paid Rs.1000/- per customer. Moreover, as per the investigation carried out at the spot. At the time of raid, from the counter table placed at the reception of the said Spa Centre by none other

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than the present petitioners, cash amount of Rs.1,01,000/-, besides 30 packets of condoms were recovered.

6. I have learned counsel for the parties and perused the record of the case with their able assistance.

7. Keeping in view the allegations against the petitioners and the fact that they are admittedly owner and manager of the aforementioned Spa Centre and their custodial interrogation is imperative to ascertain the *modus operandi* how they are carrying out said immoral activities at the Spa Centre and for the purpose of result oriented investigation by the police, this Court is not inclined to grant concession of anticipatory bail to the petitioners at hand.

8. Consequently, both these petitions are dismissed.

[HARPREET SINGH BRAR]
JUDGE

26.09.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No