

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

236

CRM-M-57801-2023 (O&M)
Date of Decision:- 09.02.2024

MANDEEP SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. V.K. Kaushal, Advocate for the petitioner.
Mr. Harpreet Singh, Additional AG Punjab.

SANJIV BERRY, J. (ORAL)

1. By way of present petition filed under Section 438 Cr.P.C., the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
220	21.10.2023	Sections 3, 4, 5 of the Immoral Traffic (Prevention) Act, 1956; [Sections 14 and 14(C) of the Foreigners Act, 1946 added later on]	Ranjit Avenue, Amritsar

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case by the Police. He submits that no illegal activity was being carried out in the

Spa Centre and the petitioner was not present there. He contends that the Police has wrongly registered the FIR alleging that the petitioner was the owner of First Care Spa Centre and running illegal activities therein. He submits that the petitioner is ready to join the investigation.

3. *Per contra*, learned State counsel submits that the petitioner happens to be the kingpin of the prostitution racket run by him under the garb of the aforesaid Spa Centre. He contends that there is a licence deed dated 20.04.2022, whereby the petitioner had taken the said premises on lease for running the First Care Salon and Spa Centre and on the basis of secret information, when the raid was conducted, many young boys and girls including foreign nationals were recovered from the said Spa Centre, some of them in objectionable position. He contends that the petitioner had run away from the spot leaving his car, mobile phone at the spot, which have been taken into custody by the Police. He further submits that custodial interrogation of the petitioner is required to unearth the nefarious activities being conducted in other Centres so run by the petitioner. He has referred to the status report dated 06.12.2023 filed in the form of an affidavit of Assistant Commissioner of Police, North Amritsar City to pray for dismissal of the petition.

4. After considering the rival contentions and perusing the record, it transpires that there are specific allegations against the petitioner of running First Care Spa Centre in the said premises as is evident from the licence deed. It is the case of the prosecution that the petitioner was running prostitution racket under the garb of said Spa Centre, wherein foreign

national girls were forced to do prostitution by keeping their passports and other travel documents under seize by the present petitioner. During the raid being conducted on the basis of secret information, many young boys and girls including foreign nationals were apprehended from the place including some couple being in objectionable position. The mobile phone as well as car of the petitioner were recovered from the spot, however, he managed to run away. It has come in the investigation that the petitioner is the kingpin of running such prostitution racket.

5. Therefore, considering the serious nature and gravity of offence, custodial interrogation of petitioner is required and it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequent, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

09.02.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No