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

**CRM-M-14036-2025
Date of Decision: 13.05.2025**

Kavardeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vishal Mittal, Advocate
for the petitioner.

Mr. Sahil Chowdhary, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of anticipatory bail to the petitioner in FIR No.13, dated 04.02.2024, under Section 3, 4, 5, 7 & 8 of Immoral Traffic Act and Section 14 of Foreigners Act, registered at Police Station Satnampura, Phagwara, District Kapurthala.

2. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case as he in no way was involved in the present offence. He further submitted that even as per the FIR, an information was received pertaining to the other co-accused, namely, Deepak Behl @ Ashish son of Ashok Kumar Behl who was running a spa center in the name of Mission and Spa Centre (P.G.) at Maheru and so far as the present petitioner is concerned, he has no concern with the present offence except for the fact that the firm was registered in his name under

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which the aforesaid spa center was being run and therefore, he may be considered for grant of anticipatory bail.

3. On the other hand, Mr. Sahil Chowdhary, learned AAG, Punjab, while referring to the status report which was filed by way of an affidavit of the Deputy Superintendent of Police, Sub Division Phagwara, District Kapurthala submitted that it is a case where the petitioner was working in active connivance with the aforesaid co-accused, namely, Deepak Behl @ Ashish who was running a brothel and the firm on whose name the spa was being run by the aforesaid co-accused was registered in the name of the present petitioner in the Department of MSME and the aforesaid brothel was being run under the guise of MSME and the aforesaid co-accused, who has been named in the FIR was its Manager. He while further referring to the aforesaid affidavit also submitted that on the basis of a secret information received, a decoy witness was sent there and recovery of currency notes was also made from there. He further submitted that 8 Thai girls, who were of the age of 28-39 years were also recovered from the place where the aforesaid brothel was being run. Apart from the above, various other materials were seized, regarding which, details have been mentioned in the reply. He also submitted that the petitioner after getting the firm registered as MSME was running a brothel by using foreign national girls and not only various incriminating materials were recovered as per Para 9 of the reply but also foreign and Indian currency notes were recovered. He also submitted that considering the aforesaid facts and circumstances, the custody of the petitioner is required for further investigation and for the purpose of elicitation of truth and also submitted that the offence is also affecting the

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public at large and is serious in nature. Therefore, he has prayed for dismissal of the present petition.

4. I have heard the learned counsel for the parties.

5. As per the FIR, a secret information was received by the police and name of one of the co-accused, namely, Deepak Behl @ Ashish has been mentioned in the FIR and later on during investigation it was found that the aforesaid firm under whose name the spa was being run is registered in the name of the petitioner and it was registered under the guise of MSME. The aforesaid co-accused, namely, Deepak Behl @ Ashish is stated to be the Manager of the aforesaid firm which was registered in the name of the petitioner. Foreign national girls along with foreign currency, diary etc. and many other materials were recovered by the police. Learned State counsel has vehemently opposed the grant of anticipatory bail to the petitioner by stating that it is a fit case where for the purpose of elicitation of truth, custodial investigation of the petitioner is required and he is absconding from the date of registration of the FIR i.e. 04.02.2024 which is more than 1 year ago.

6. After hearing the learned counsels for the parties and after perusing the reply filed by the State, this Court is of the view that considering the role of the petitioner and the seriousness and gravity of the offence involved, the custodial interrogation of the petitioner is required for the purpose of elicitation of truth. Therefore, this Court does not deem it fit and proper to grant bail to the petitioner.

7. Consequently, finding no merit in the present petition, the same is hereby dismissed.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

13.05.2025

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned:

2. Whether reportable:

Yes/No

Yes/No