

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026:PHHC:045915



CRM-M-8724 of 2026 (O&M)

Reserved on: 18.03.2026

Pronounced on: 24.03.2026

Uploaded on: 24.03.2026

Gurcharan Singh @ Kala

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Sukhbeer Singh, DAG Punjab.

SHALINI SINGH NAGPAL, J.

Petitioner seeks anticipatory bail in case vide FIR No. 248 dated 01.12.2025, under Sections 3 and 4 of Immoral Traffic (Prevention) Act, 1956 and Sections 61,1,14 of Excise Act, Police Station Kotwali, Bathinda. This is the first petition for anticipatory bail.

FIR was registered on secret information that owner of Paris Hilton Hotel, Goniana Road, Bathinda and his partner were running flesh trade and girls working in the Orchestra and dance bar were being made available to customers on the pretext of Kitty Party. They were being forced into prostitution by a person named Kala, liquor was being served in the Hotel rooms without licence. Ruqa was accordingly send under Sections 3 and 4 of the Immoral Traffic (Prevention) Act, 1956 and Section 61 of Excise Act. On raiding the Hotel, owner (Pankaj) was apprehended at the

gate and Gagandeep Singla s/o Pawan Kumar, Rupinder s/o Lekh Raj, Pardeep Singh s/o Jaswant Singh, Shinder Pal Singh s/o Sukhdev Singh, Jagroop Singh s/o Buta Singh, Ankush Kumar s/o Sanjeev Kumar, Jatin Bansal s/o Pawan Kumar, Gurdeep Singh s/o Ram Singh and Subhakar Ghosh s/o Subhir Ghosh along with seven victim/girls were apprehended by the police in different rooms of the Hotel in objectionable position with articles like condom etc, liquor bottles etc which were taken into police possession. During investigation, it was disclosed that the petitioner received Rs.3000/- per customer for each girl out of which he paid Rs.2000/- to the girls. Statements of the victims were recorded under Section 183 BNSS, who stated that petitioner called them for dance in the Hotel and presented them to customers for physical relations.

Learned counsel for the petitioner submits that the petitioner was neither owner of the Hotel nor partner nor was present at the spot. No CCTV footage was collected by the police during the course of raid nor any objectionable activity was going on in the Hotel. There was nothing incriminating in the statements of the girls recovered from the Hotel. No ingredients of offences under Sections 3 and 4 of the Immoral Traffic (Prevention) Act, 1956 and Section 61 of Excise Act were made out nor there was any evidence of procurement, inducement or forcing the women into prostitution. Petitioner had clean antecedents and his custodial interrogation was not required. He was ready and willing to join investigation, therefore, he be enlarged on anticipatory bail.

Learned State counsel has filed status report and has opposed the prayer for anticipatory bail referring to the statements of the victims recorded under Section 183 BNSS on record as Annexures R1/A to R7/A. It

was argued that even though petitioner was not the owner of the Hotel nor was present at the spot, his complicity in the offence was made out from the statements of the witnesses recorded and investigation conducted by the police.

Petitioner was allegedly running a sex racket in Paris Hilton Hotel, Bathinda, inducing girls for the sake of prostitution and living on the earning of prostitution. Allegations against him are serious and his custodial interrogation would be required for effectively investigating the case and eliciting useful material. There are no extraordinary circumstances warranting invocation of Section 482 BNSS. The petition for anticipatory bail is, therefore, declined.

All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

24.03.2026

reema		
Whether speaking/reasoned	:	Yes
Whether reportable	:	No