

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:075374



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CRM-M-27355-2025

Date of decision:02.06.2025

Anil Kumar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rahul Makkar, Advocate for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.94, dated 09.04.2025, under Sections 3, 4, 5, 6, 7 of the Immoral Traffic (Prevention) Act and Sections 143(2), 144(2) of the BNS, registered at Police Station Urban Estate, Rohtak.

2. As per the allegations, on 09.04.2025, on receipt of a secret information to the effect that immoral trafficking was done in three hotels at Rohtak, two of which were owned by the present petitioner, a raiding party was formed. One police official was made a decoy customer and was sent to hotel Sahiba. He gave a sum of Rs.2000/- to an official of the hotel, who was sitting on the reception. Subsequently, raid was conducted and some girls involved in immoral trafficking were apprehended. Rahish, Kamal and Amandeep Kaur, who were present in the hotel were interrogated and

suffered disclosure statements on the basis of which petitioner was also nominated as an accused. It was revealed that he was forcing girls for doing prostitution work in the hotel. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Rohtak vide order dated 01.05.2025.

3. It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case due to political rivalry and on the basis of disclosure statement of co-accused Neha, which cannot be considered to be admissible in evidence. No recovery is to be effected from him. He is ready to join the investigation. His custodial interrogation is not required. With these broad submissions, it is urged that the petitioner deserves to be extended the benefit of pre-arrest bail.

4. Status report has been filed. It is argued by learned State counsel that there are serious and specific allegations against the petitioner. He has also placed on record a photocopy of statement recorded by one Jyoti before the learned Magistrate saying that she had been induced by the present petitioner to do the work of prostitution and it was on his asking that she was involved in such activity while doing sweeping work in the hotel. It is argued that no exceptional or extraordinary circumstance for grant of pre-arrest bail has been made out and therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

6. Petitioner is alleged to be involved in immoral trafficking by engaging/involving girls for prostitution work in his hotel by taking money

from the customers in the hotel. Allegations against him are serious in nature. For conducting thorough and proper investigation, his custodial interrogation is must. Even otherwise, it is well settled preposition of law that powers under Section 482 of BNS are to be exercised in exceptional and extraordinary circumstances and no such circumstance has been made out in this case. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. The same is accordingly dismissed.

7. It is, however, clarified that nothing stated above shall have any bearing on the merits of the case.

(MANISHA BATRA)
JUDGE

02.06.2025

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Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No