

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

112

CWP-28707-2024

Date of Decision : April 07, 2025

SABNAM KHATUN AND ORS

-PETITIONERS

V/S

STATE OF PUNJAB AND ORS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Deepak Singh Saini, Advocate with
Ms. Parul Saini, Advocate
for the petitioners.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. The petitioners, who are running their respective beauty parlors, massage and spa centres, within the jurisdiction of the State of Punjab, have approached this Court for issuance of directions upon the police authorities not to interfere in their business activities and also not to interfere in the peaceful functioning of their massage and spa centres situated within the municipal limits of Jalandhar.

2. The reply dated 26.03.2025, as furnished on behalf of the respondents No.1, 2 3 and 5, reveals that some miscreants, under the garb of running spa and massage centres, have been running prostitution racket and are involved in immoral/human trafficking. Consequent upon busting of such prostitution rackets, various FIRs within the limits of District Jalandhar have been registered, details whereof are reproduced hereunder:-

*“(i) FIR No.124 dt. 24.06.2022 u/s 3, 4, 5 The Immoral Traffic
(Prevention) Act, 1956, PS Division 7;*

(ii) FIR No. 65 dt. 26.04.2023 u/s 3, 4, 5 The Immoral Traffic (Prevention) Act, 1956, PS Division 7

(iii) FIR No. 136 dt. 17.09.2023 u/s 3, 4, 5 The Immoral Traffic (Prevention) Act, 1956, PS Division 7

(iv) FIR No. 44 dt. 21.04.2024 u/s 3, 4, 5 The Immoral Traffic (Prevention) Act, 1956, PS Division 7

(v) FIR No. 93 dt. 14.05.2024 u/s 3, 4, 5 The Immoral Traffic (Prevention) Act, 1956, PS Division 6

(vi) FIR No. 78 dt. 22.04.2024 u/s 3, 4, 5, 5B, 5C The Immoral Traffic (Prevention) Act, 1956, PS Division 6

(vii) FIR No. 79 dt. 22.04.2024 u/s 3, 4, 5, 5B, 5C The Immoral Traffic (Prevention) Act, 1956, PS Division 6”

The reply further reveals that, even the petitioners No.7 and 3 are also involved respectively in FIR No. 78 and FIR No. 79 (supra).

3. From the FIR figures (supra), which appertain only to one Commissionerate, this Court prima facie believes such kind of rackets to be operating in the entire State. Hence, it is of dire significance for the State of Punjab to prevent the massage and spa centres from becoming havens of illegal activities and prostitution and also to prevent the exploitation of gullible women by owners/managers of massage and spa centres. This menace can only be curbed through framing of apt guidelines/policy regulating operation of the spa and massage centres.

4. On an earlier occasion, the Co-ordinate Bench of this Court came across an alike issue in CRM-M-36358-2023. The Co-ordinate Bench took cognizance of the growing illegal activities of immoral/human trafficking in U.T. Chandigarh and made specific directions to the authorities to frame guidelines on the same pedestal as framed by the Government of National Capital Territory of Delhi. Such kind of guidelines came to be framed by the State of Haryana also.

5. Although the learned counsel for the petitioners submits that, grievance of the petitioners has been redressed, so he does not want to press the instant writ petition, however, taking into account the gravity of the issue involved as well as the welfare of the women working in the spa and massage centres, this Court deems it appropriate to direct the State of Punjab to consider this writ petition as a representation and frame guidelines/policy regulating the operations of spa and massage centres within the State of Punjab. This exercise shall be completed within three months from today and a status report in this regard be also filed post compliance of these directions.

6. Disposed of accordingly.

April 07, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No