



125

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

**CRM-M-10581-2025  
Date of decision: 25.02.2025**

**JASPAL SINGH AND OTHERS**

**...Petitioner(s)**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**...Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present:- Mr. P. K. S. Phoolka, Advocate and  
Mr. Sandeep Singh, Advocate  
for the petitioner.

\*\*\*\*

**JASGURPREET SINGH PURI, J. (Oral)**

1. The present petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.156 dated 26.10.2024, under Sections 3, 4, 5 of Immoral Traffic (Prevention) Act, 1956 and Section 75 of BNS, 2023, registered at Police Station Civil Lines Bathinda, District Bathinda, Punjab, alongwith all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise (Annexure P-2).

2. Learned counsel for the petitioners submitted that the prayer in the present petition is for quashing of the aforesaid FIR on the basis of compromise (Annexure P-2).

3. Ms. Seena Sandhu, Addl. A.G., Punjab submitted that she has received an advance copy of the present petition and has also sought instructions in the present case. She further submitted that the allegations



against the petitioners were serious in nature to the extent that they were using Spa for immoral trafficking purposes and in such a serious offence, there can be no quashing of the FIR based upon compromise. She further submitted that there is one more case of similar nature pertaining to allegations under the Immoral Traffic (Prevention) Act, 1956 against one of the petitioners, namely, Jaspal Singh and the same has been concealed in the present petition. She referred to para No.13 of the present petition, wherein it has been so stated that there is no other involvement of the present petitioners in any criminal case/FIR nor any FIR is pending against the present petitioners. She also submitted that considering the fact that the petitioners concealed material facts and misled the Court, the present petition is liable to be dismissed.

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

5. It is a case where the allegations against the petitioners were pertaining to using of Spa for immoral trafficking purposes. Para No.13 of the present petition is reproduced as under:-

*“13. That as per the instructions there is no other involvement of the present Petitioners in any criminal case/FIR and nor any FIR is being pending against the present Petitioners.*

6. It has been so stated in the present petition that there is no other involvement of the present petitioners in any criminal case/FIR. The present petition is also supported by an affidavit of one of the petitioners, namely, Ashwani Kumar @ Ashu, wherein it has been stated that the petition has been drafted as per the instructions of the deponent. However, there had been an active concealment of material facts from this Court since it has been



specifically stated by the learned State counsel that one of the petitioners, namely, Jaspal Singh is involved in one more case under the Immoral Traffic (Prevention) Act, 1956.

7. It is a settled law that any person who comes to the Court must come with clean hands and it is the duty of the petitioners to disclose all the material facts. Ordinarily, this Court ought to have initiated prosecution against the petitioners for perjury but taking a lenient view, this Court deems it fit and proper to impose costs upon the petitioners for misleading and suppressing material facts from this Court.

8. In view of the aforesaid facts and circumstances, the present petition is dismissed with Rs.5,000/- as costs, which shall be deposited by the petitioners before the Punjab and Haryana High Court Legal Services Committee, within a period of three months from today.

9. List this case for compliance purposes after three months.

**(JASGURPREET SINGH PURI)**  
**JUDGE**

**25.02.2025**  
**Chetan Thakur**

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