

GHANSHAM SONI & ORS. VS. STATE OF PUNJAB
BA-191-2021

Present:- Shri Arjun Kumar Shukla, Advocate for the applicants.
Shri Dilpreet Singh, Ld. Addl.P.P. for the State.

ORDER :-

This order shall dispose of regular bail application filed by applicants Ghanshyam Soni, Shridhar Drevedi @ Sonu, Rahul Tiwari, Ram Krishan, Rakesh Rawat in case F.I.R. No.24 of 12.01.2021 under Sections 3, 4, 5 of Immoral Traffic (Prevention) Act, Police Station Zirakpur, S.A.S. Nagar, District Mohali.

It has been averred in the bail application that petitioners are peace loving citizens of India and they have been falsely implicated in the present case. Petitioners No.1 to 3 are jointly running a hotel Red House at Daria Chandigarh and at the time of incident, they were present at hotel and they have been falsely implicated in the present FIR. The petitioners are innocent persons. They are not required for further investigation. Conclusion of trial will take long time and no useful purpose will be served by keeping the accused behind the bars. The applicants are ready to abide by the terms and conditions imposed by the Court, if any.

As per the case of prosecution, on 12.01.2021, Inspector Onkar Singh SHO, Police Station Zirakpur, along with police party on Government Vehicle was going in connection with investigation in case FIR No.07 dated 05.01.2021 under Section 328, 170, 171, 419, 420, 120B of Indian Penal Code, Under Section 25 of Arms Act, Section 61 of Excise Act, P.S. Zirakpur. When police party reached near Patiala Chowk Zirakpur, at about 1.50AM then Lady Sub inspector Ranjit Kaur, Lady Constable Kiranjit Kaur, ASI Balwinder Singh met the police party headed by SHO Onkar Singh. They were joined in the police party. In the meanwhile, Inspector

SHO Onkar Singh received a secret information regarding Pankaj Singh son of Kaur Bahadur Singh, his wife Uma Singh were running a brothel in hotel Carvan belonging to them. Hotel Manager Kamlesh son of Ramfir and Bhupinder Kaur D/o Hans Raj were looking after the above brothel and were supplying girls for prostitution. On the above date, above persons had called foreigner girls and other girls for the above purpose and if raid is conducted then hotel owner along with girls can be apprehended. So ruqa was sent against the above persons for registration of present FIR. Thereafter, HC Vinod Kumar was sent to the hotel along with ₹2000/- in denomination of ₹500/- each to the above hotel posing himself to be a customer, where he met Bhupinder Kaur Receptionist and thereafter, a deal was struck and HC Vinod Kumar signaled the police party, who came to the hotel and recovered ₹2000/- from the drawer of the reception table of Bhupinder Kaur and on searching the hotel accused Ghansham, Shri Dhar Dwedi, Rahul Tiwari, Aditya Kamboj, Gursewak Singh, Naman Futela, Rakesh Rawat, Rohit Saini, Ram Krishan, Kamlesh, Rohit Chauhan, Uma Singh wife of Pankaj Singh, Bhupinder Kaur were arrested from the spot. Pankaj Singh has not been arrested. Ghansham, Shri Dhar Dwedi, Rahul Tiwari, Ram Krishan are alleged to be suppliers of girls. Aditya Kamboj, Gursewak Singh, Naman Futela, Rakesh Rawat, Rohit Saini, Rohit Chauhan they are all customers. Kamlesh son of Ramfir & Bhupinder Kaur is Manager, Uma Singh wife of Pankaj who is hotel owner. Except Pankaj all above named accused have already been arrested from the hotel premises and the victim girls were let off by the police. All accused except Pankaj are in jail since 12.01.2021.

The present case is triable by the Court of Judicial Magistrate. The custody of the applicants is not required for any purpose. The applicants

have been sent to judicial custody on the request of prosecution itself. Allegations and counter allegations are a matter of trial. Complaint of the investigation and conclusion of the trial will take sufficient time. Till then, no useful purpose will be served by detaining the applicants in custody for indefinite period, especially when they are ready to abide by all the conditions of the bail. Keeping in view all these facts and circumstances, the bail application filed by the applicants Ghamshyam Soni, Shridhar Drevedi @ Soni, Rahul Tiwari, Ram Krishan, Rakesh Rawat stands allowed and disposed of. Applicants named above are ordered to be released on bail on their furnishing bail bond in the sum of ₹30,000/- each with one surety in the like amount each to the satisfaction of Area/Duty Magistrate, with the following conditions:-

- I) That they will appear on each and every date of hearing in this Court till the disposal of this case.*
- ii) That they will not leave the country without prior permission of the Court,*
- iii) That they will not win over the witnesses of the prosecution of this case.*
- iv) That in case the applicants jumps bail, the trial Court will be at a liberty to cancel the bail order.*

Anything said in this order shall not affect the merits of the main trial in any manner. Police record be returned. Bail application file be consigned to the Record Room.

Pronounced:-

Dated:- 02.02.2021

(Sanjay Agnihotri)
Additional Sessions Judge
S.A.S. Nagar, Mohali
UID-PB00099

Upasna Sharma
Stenographer Gr. II