

State vs. Mahavir

(FIR No.232 Dated 03.12.2025, U/s 3, 4, 5 Immoral Traffic (Prevention) Act, PS Sardulgarh.

Present: Sh. V.P. Sharma Advocate alongwith Sh. Rajesh Kumar
Advocate for the accused/applicant Mahavir.
APP for the State.

1. File put up before me in view of office order No. 246 dated 03.12.2025 passed by the office of Ld. District & Sessions Judge, Mansa. Heard on the bail application filed by the accused-applicant Mahavir, in the present FIR No.232 Dated 03.12.2025, U/s 3, 4, 5 Immoral Traffic (Prevention) Act, PS Sardulgarh.

2. It is submitted in the bail application by the applicant/accused that the present case has been registered on false facts. He has not committed any crime. It is alleged that no recovery has been effected from accused/applicant. It is further submitted that this is the first bail application on behalf of applicant/accused and no other bail application is pending. The applicant/accused will not make inducement, threat or promise of any kind with any person directly or indirectly who is acquainted with the facts of the case. As such, a prayer is made to allow the present bail application.

3. Upon notice, no reply was filed by the learned APP for the State, however, on behalf of the State, ASI Paramjeet Singh, No.406/MNS appeared and made the following statement:

“Stated that accused Mahavir s/o Mehar Chand r/o Shekupuria, Tehsil & District Sirsa, is nominated accused in FIR No. 232 dated 03.12.2025, u/s 3, 4, 5 of Immoral Traffic Act, 1956, registered at PS Sardulgarh. The said accused currently lodged at District Jail, Mansa. He

has not been declared proclaimed offender and no other addition of offences is there in the said FIR. He is in custody since 03.12.2025. As per the record, there is no other FIR pending against the accused”.

4. I have heard the learned counsel for applicant/accused, learned APP for the State and perused the remand papers file properly.

5. Perusal of the remand papers shows that applicant/accused namely Mahavir has been booked in the present FIR with the allegations that when the police party was on patrol duty then secret informer informed that Sunil Kumar s/o Subhas Chand r/o Ward No. 3 Sardulgarh, who is owner of Royal Villa Hotel, situated near Court Complex, Sardulgarh used to procure the ladies and gents from outside for the sake of prostitution in his hotel, which is an act of Immoral Traffic. Thereafter, the present case was registered. Then accused Mahavir was arrested on 03.12.2025 and since then he is in custody. Keeping in view the fact that the applicant/accused is in custody since 03.12.2025 this Court is of the view that no useful purpose would be served by keeping them behind the bars for indefinite period as the alleged recovery if any has already been effected and presentation of challan and conclusion of trial will take its own time. Moreover, it is cardinal principal of the law that ***bail is a rule and jail is an exception***. Accordingly, present bail application is hereby allowed and **applicant/accused Mahavir** is ordered to be released on bail in the present FIR on his furnishing bail bonds in the sum of ₹ 75,000/- (Rs. Seventy Five Thousand) with one surety in the like amount, subject to the following conditions:-

1) that the applicant/accused will appear in the court on each and every date of hearing;

2) that the applicant/accused will not tamper with the prosecution evidence;

3) that the applicant/accused will not leave the country without prior permission of the court.

Application stand disposed off accordingly. Requisite bail bonds and surety bonds not furnished. Ahlmad is directed to bail application attached with the remand papers.

Pronounced in open Court.

Dated:10.12.2025.

Geeta Rani

(Tarun Walia)
Sub Divisional Judicial Magistrate,
Sardulgarh (PB0828)