

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1331 OF 2015

Shri Arjun Baldev Khurana

... Applicant.
(Org.Accused No.5)

V/s.

The State of Maharashtra

... Respondent.

Mr. Rahul S. Kate, Advocate for the Applicant.

Smt P. P. Shinde, A. P.P. for the Respondent – State.

Head Constable-450 Mr.M.D.Sapkal, Karad Taluka, Dist.Satara
is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th SEPTEMBER, 2015

P.C. :

1 Heard learned counsel for the applicant and the
learned APP for the State.

2 By this application, the applicant seeks pre-arrest
bail in connection with C.R. No. 123 of 2015 registered with
the Umbraj Police Station, Satara, for the alleged offences
punishable under Sections 376(1), 372, 373, 363, 366, 366A,
370 (1), 370(a), 371(a), 344 read with section 34 of the
Indian Penal Code and under Sections 3, 4, 6 & 17 of the
Protection of Children from Sexual Offences Act, 2012 and

under Sections 3,,4,5 and 6 of the Prevention of Immoral Trafficking Act.

3 Learned counsel for the applicant states that the applicant is the owner of Hotel Renuka. He submits that there are no allegations as against the applicant that he had forced the victim girls into prostitution or that he had committed rape on the victim girls. He submitted that the only allegation as is evident from the FIR is, that the present applicant gave a sum of Rs. 10,000/- to Soma Sarkar and Salma and that they left the complainant there. It is stated that thereafter, Raju took the complainant to another hotel.

4 Learned APP states that in the FIR, the complainant-victim girl has named the present applicant as the person who gave Rs. 10,000/- to Soma Sarkar and Salma.

5 Perused the FIR and the supplementary statement. It appears that the applicant gave a sum of Rs.10,000/- to Soma and Salma, after which the applicant left the place, leaving behind the said victim girl. Even in the supplementary statement, the victim girl has stated that it was Raju, who sent them to various customers and that the said customers would commit forcible intercourse with the victim girls and thereafter, Raju would take money from the said

customers. The victim girl has alleged that it was Raju, who compelled her into prostitution.

6 There are no allegations as against the present applicant that he forced the victim girls into the prostitution or committed rape on the victim girls. The only allegation against the applicant is that he paid money to Soma and Salma. The learned APP on instructions states that the applicant has no antecedents.

7 Considering the nature of the allegations as against the applicant, the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;
- (ii) The applicants shall attend the concerned police station, as and when called till the chargesheet is filed.
- (iii) The applicant shall attend the concerned police station on the first Saturday of every month from 10

a.m. to 11 a.m., for a period of 12 months from the date of filing of the chargesheet.

(iv) The applicant shall not tamper, contact or attempt to influence the complainant, witnesses or any person concerned with the case.

(v) The applicant shall co-operate with the conduct of the trial.

(vi) The applicant shall inform his address and mobile number to the concerned police station.

8 If there is a breach of any of the conditions by the applicant, the prosecution is at liberty to file an application for cancellation of the applicant's bail.

9 The application is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
