

Anand

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

BAIL APPLICATION NO.329 OF 2015

Lalan Khudabaksh Naudha alias .Applicant
Munna

V/s.

The State of Maharashtra .Respondent

Mr.Sanjay Kulkarni, Advocate, for the
Applicant

Mr.Y.M.Nakhwa, APP, for the Respondent - State

CORAM : REVATI MOHITE DERE, J.

DATE : 22ND APRIL, 2015

P.C.

. Heard the learned counsel for the
applicant and the learned APP for the
respondent – State.

2. By this application, the applicant
seeks his enlargement on bail in connection
with C.R.No.179 of 2013 registered with the
Vashi Police Station, Navi Mumbai, for the
alleged offences punishable under Sections
366, 370, 342, 372, 373, 376, 120B & under

Section 34 of the Indian Penal Code and under Sections 3 & 4(1) of the Prevention of Immoral Trafficking Act and under Sections 3 and 4 of the Protection of Children from Sexual Offences Act.

3. According to the prosecution, the present applicant was a friend of the step brother of the victim-girl. It is alleged by the victim-girl that on 22.04.2013, the present applicant came with her step brother, to their residence and stated that he would give the victim-girl a job in Mumbai. Pursuant to the said promise, the victim-girl was brought to Mumbai by the present applicant. Thereafter, the applicant kept her in a lodge and sent customers to the said room and compelled the victim-girl into prostitution. She has alleged that after almost seven days, the applicant came back to the lodge and disclosed to her that she should continue to work like this for another ten days and that

he would give her Rs.20,000/- for the said work. Thereafter, the applicant is alleged to have taken her in a Rickshaw to Vashi Station. She has alleged that when she was sitting in the rickshaw, five persons came there and started talking to the applicant. It is alleged that she over heard the applicant and the said persons discussing, and learnt that she was being sold for Rs.10,000/-. Just then, the police arrived on the spot, and the persons, who had come there are alleged to have run away. The applicant was apprehended on the spot. The learned counsel for the applicant contended that although the victim-girl has stated in her statement that she is 15 years old, there is no document brought on record by the prosecution to show that she was a minor. The learned APP disputes the said fact. He submits that the Medical papers show that the victim-girl was 15 years old.

4. Be that as it may, considering the

fact that the applicant is the person, who induced the victim-girl on the pretext of giving her a job in Mumbai and compelled her into prostitution and was thereafter, caught red handed, whilst selling the victim-girl to the co-accused, this is not a fit case to enlarge the applicant on bail. Apart from the aforesaid, the applicant is resident of West Bengal and hence, it would be difficult to secure his presence at the time of the trial. Accordingly, the application for bail is rejected. However, trial of the applicant is expedited. The learned Judge shall make an endeavour to dispose of the case as expeditiously as possible and preferable within one year from the date of receipt of this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)