

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1858 OF 2015**

Purshottam Anant Shetty	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Vivek Vijay Salunke for the Applicant

Mr. S. H. Yadav, A.P.P for the Respondent-State

PI Mr. Rajendra Kamble from Kashimira Police Station is present

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 7TH OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. II-417 of 2015 registered with the Kashimira Police Station, Thane, for the alleged offences punishable under Sections 370(3) of the Indian Penal Code and under Sections 3, 4, 5, 6 of the Immoral Traffic (Prevention) Act.

3. According to the prosecution, pursuant to an information received from Mr. Suhas Bauche, a raid was conducted on the Millenium 2000 Orchestra Bar. According to the information received, the singers and dance girls working in the Millenium 2000 Orchestra Bar were being made available to the customers, if they so desired and were thereafter taken to Samadhan Lodging and Boarding. The present applicant admittedly is not an employee of Millenium 2000 Orchestra Bar but was working as a Manager in the Samadhan Lodging and Boarding. According to the complainant, the decoy customer had taken one girl aged 26 years from Millennium 2000 Orchestra Bar to the aforesaid Samadhan Lodging and Boarding, pursuant to which, the applicant was arrested.

4. Learned Counsel for the applicant states that when the raid was conducted, the applicant who was the Manager, as was his duty, had entered the name of the decoy customer and the name of the victim girl in the Register and had also taken photo identity cards of the said persons. He submits that no offence as alleged is disclosed *qua* the present applicant, as he had neither forced nor compelled the girl into prostitution. He submitted

that the victim girl was aged 26 years and had come with the decoy customer. He further submits that there are no antecedents qua the applicant.

5. Learned A.P.P states that till date, charge-sheet is not filed.

6. Considering the nature of allegations *qua* the applicant, it *prima facie*, appears that he had no connection with the Millennium 2000 Orchestra Bar and was working as Manager in Samadhan Lodging and Boarding. It appears that the victim girl was aged 26 years and had gone with the decoy customer. *Prima facie*, it also appears that the applicant had niether forced/coerced the victim girl into prostitution.

7. Considering the material on record, *qua* the applicant, he is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first and third Saturday of every month between 10:00 a.m. to 11:00 a.m till the filing of the charge-sheet;

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

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.
10. 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.
