

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 477 OF 2015

Rahima Jeet Mohd. Khatun	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Ms. Anjali Patil, Advocate for the applicant.
Ms. V.S.Mhaispurkar, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 29th October, 2015.

P.C.

Heard. Rule. Rule made returnable forthwith with consent of the parties.

2. The applicant herein happens to be a victim who was rescued by D.B.Marg Police Station in C.R. No.193/2015. The victim was produced before the learned Metropolitan Magistrate, 15th Court, Mazgaon, Mumbai. The learned Magistrate in consonance with the provisions of PITA Act, had called for a report of the Probation Officer. The Probation Officer had reported to the Magistrate that the husband of the victim is paralysed. She was brought to Mumbai on pretext of providing good job.

However, it was revealed that the applicant is staying in a brothel for one year. The learned Magistrate had presumed that the applicant had suffered a mental shock since she was forced into flesh trade. The learned Magistrate was of the opinion that the applicant should be sent to a social organization for the purpose of rehabilitation and protection and hence she was sent to Jabala Institution at Calcutta for a period of one year vide order dated 27.8.2015.

3. Being aggrieved by the said order, the applicant had filed an appeal before the Sessions Court bearing Criminal Appeal No.789 of 2015. The learned Sessions Court has upheld the order passed by the learned Metropolitan Magistrate. Hence, this Revision Application.

4. The learned counsel for the applicant submits that the sister of the applicant i.e. Mousumi Bibi Jit Md. Sekh is ready to take custody of the applicant and look after her welfare. That according to the learned counsel, the applicant is 27 years old and that she can take care of herself. Since the sister of the applicant had not filed any application before the Magistrate or before the appellate Court, the sister of the applicant is at liberty to file an application before the learned Magistrate praying for the custody of the

applicant. The learned Magistrate shall verify the genuineness of the documents submitted by the sister of the applicant. The learned Magistrate may then decide the application filed by the sister of the applicant within two weeks from the date of receipt of this order. The learned Magistrate shall pass orders in accordance with law.

Revision Application is allowed in the above terms and stands disposed of.

(SMT.SADHANA S.JADHAV, J.)