

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

BAIL APPLICATION NO.2023 OF 2015

Sajid Munvar Mujawar ...Applicant
Versus

The State of Maharashtra ...Respondent

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Mr. Ganesh Gole i/b. Meghna A. Gowalani for the Applicant.
Ms G.P. Mulekar, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 28th JANUARY, 2016.

P. C. :

This is an application for bail filed by the aforesaid Applicant, who has been arrested in Crime No.3039 of 2015 registered at Karad City Police Station, District-Satara, for offences punishable under sections 3, 4 and 7 of the Immoral Traffic (Prevention) Act.

2. The case of the prosecution in brief is that on 15.5.2015 the police constable of local crime Branch, Karad, District-Satara, had received information that prostitution was being carried out in Ganesh Lodge, 442/2, Shaniwar Peth, Karad, District- Satara, by one Arun Chavan. One Sanjay Chavan was sent as a decoy customer and trap was laid. The raiding party caught the Applicant and the other co-accused including the girls, who were soliciting customers. The

Applicant herein, who was the Manager of the said lodge was taken into custody on 16.5.2015. The FIR was lodged by police constable Mr. Deepak More, pursuant to which the aforestated crime came to be registered against the Applicant. The crime was investigated and upon completion of the investigation, charge-sheet was filed before the learned Judicial Magistrate, First Class, Karad City Police Station. The Applicant had filed bail application, which was dismissed vide order dated 6.6.2015 passed by the learned Additional Sessions Judge, Karad. Hence, the present application.

3. Mr. Gole, the learned counsel for the Applicant has submitted that the Applicant was working as a manager in the said lodge. He has submitted that the Applicant is not involved in committing the said crime. He has further submitted that the offence is punishable with a maximum imprisonment of three years. He therefore, claims that since the investigation has completed further detention of the Applicant is not necessary.

4. Ms Mulekar, the learned APP for the Respondent -State has submitted that the statements of the witnesses as well as the raiding party, prima facie show the involvement of the Applicant in the said crime. She therefore, claims that the Applicant is not entitled for bail.

5. I have perused the records and considered the submissions advanced by the learned counsel for the Applicant and the learned APP for the Respondent -State. The records prima facie reveal that the Satara Crime Branch had received a reliable information that rooms of Ganesh Lodge were being used for carrying out prostitution. Upon receipt of the said information a trap was laid and the Applicant alongwith the co-accused were arrested. The records prima facie reveal that the Applicant was working in the said lodge as a Manager. The records prima facie show that the Applicant was aware of the fact that said lodge was used for carrying out prostitution. Nonetheless, an offences under sections 3, 4 and 7, which have allegedly been committed by the Applicant are punishable with a maximum punishment of two years. Considering this aspect and also considering the fact that the investigation is concluded, it is not necessary to detain the Applicant.

6. Under the circumstances, the application is allowed on the following terms and conditions:-

- (i) The Applicant shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees

Twenty Thousand only) with two local sureties to the satisfaction of the Judicial Magistrate, First Class, Karad.

(ii) The Applicant shall furnish to the Investigating Officer his contact number, his permanent as well as temporary address, if any. The Investigating Officer shall verify the same, before the Applicant is released on bail.

(iii) The Applicant shall attend each and every date of hearing in the Sessions Court at Karad.

(ANUJA PRABHUDESSAI, J.)