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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1176 OF 2016

Shivaji Mahadeo Shetty	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. Ganesh Bhujbal, for the Applicant.
Mr. Deepak Thakre, APP for the Respondent State.

CORAM : A. M. BADAR, J.

DATE : 12th AUGUST, 2016.

P.C. :

1. The applicant/accused, in crime No.95 of 2016, registered with Karad City Police Station, District: Satara, for the offences punishable under Section 370(2) of the Indian Penal Code and sections 3, 4, 7 of the Immoral Traffic (Prevention) Act, 1956, by this application is seeking his release on bail after filing of the chargesheet.
2. Heard the learned counsel appearing for the applicant. He argued that the applicant was just Manager at Navrang Lodge, owned by co-accused Ashok Jadhav, who died prior to filing of the chargesheet. The learned counsel for the applicant argued that considering the fact that the investigation is over, pre-trial detention of the applicant is not warranted.

3. The learned APP argued that the present applicant had taken rooms on rent in the lodge and was running the brothel. The learned APP argued that the applicant was found to be involved in trafficking of woman for the purpose of exploitation.

4. Perused the chargesheet. The F.I.R. came to be lodged by Hanumant Gaikwad, Assistant Police Inspector, after successful implementation of trap at Navrang Lodge, Malkapur near Karad. A decoy named Vinayak Pangale was set up and marked currency notes were given to him prior to visiting the brothel which was operating at Navrang Lodge. Five women and four customers were found to be involved in prostitution at the brothel at Navrang Lodge. According to prosecution case, the present applicant was running that brothel by taking rooms on rent.

5. Perused the statements of women found at the lodge recorded during the investigation. Prima facie they did not depict use of threat or force. It is not apparent that those women were abducted or any fraud, deception was practiced. Abuse of power or inducing is also not reflected from the statements. The chargesheet indicates the present applicant was living on the earning of prostitution by engaging pimos, so also woman.

6. Now the investigation is over. Considering the nature of

offence and punishment prescribed for the same, alleged against the present applicant, further pre-trial detention of the applicant is not warranted. Therefore, the following order.

Order

- I) The application is allowed.
- II) The applicant arrested in above crime, he be released on bail on his executing P.R. Bond in the sum of Rs.50,000/- and on his furnishing surety in the like amount.
- III) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.
- IV) The applicant shall not tamper with the prosecution evidence in any manner and shall co-operate the learned trial Judge in expeditious disposal of the trial.
- V) The applicant shall not repeat commission of similar type of offences in future.

[A. M. BADAR, J.]