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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1243 OF 2016**

Mehrunnisa Iqbal Shaikh

@ Munni Iqbal Shaikh

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.S.J.Singh, for the Applicant

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

CORAM : REVATI MOHITE DERE, J.

DATE : 4th JULY, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seek her enlargement on bail in connection with C.R. No.274 of 2014, registered with the Trombay Police Station, for the alleged offences punishable under Sections 376 r/w 34 of the Indian Penal Code r/w Section 4, 8, 12 and 17 of the Protection of Children from Sexual Offences Act, 2012.
3. The victim girl, aged 15 years has alleged that co-accused –

Mariyam Shaikh introduced her to the present applicant, who in turn introduced her to one Pravin Mhatre and asked her to have physical relations with the said Pravin Mhatre. According to the victim girl, Mhatre took her to a room, locked her and committed sexual intercourse with her.

4. Learned Counsel for the applicant submitted that all the co-accused including Mariyam who had taken the victim girl to the applicant as well as Mhatre who is alleged to have committed sexual assault on the victim girl have been enlarged on bail. She submitted that the applicant has been in custody since her arrest i.e. since 2014.

5. Learned APP opposed the bail application. He submitted that the present applicant introduced Pravin Mhatre as a police officer to the victim girl and asked her to have physical relations with him.

6. Perused the papers. It appears that all the co-accused have been enlarged on bail in particular, Mariyam Shaikh and Pravin Mhatre. The applicant has been in custody since 2014. Investigation is complete and charge-sheet is filed. It appears that there are no antecedents qua the

present applicant.

7. Considering the aforesaid, the applicant is enlarged on bail, on the following terms and conditions:-

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local solvent sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

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

(iv) The applicant shall inform her 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;

(vi) An undertaking to the aforesaid clauses (ii) to (v) shall be filed by the Applicant, in the Trial Court, within two weeks of her release.

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.