

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1267 OF 2016

Jayshri @ Kalyani Umesh Deshpande		Applicant
vs.		
State of Maharashtra		Respondents

Ms. Pranali Kakade i/b. Mr. Subhash Hulyalkar for the applicant.
Mr. S.S.Pednekar, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 18th August, 2016.

P.C.

1. Heard the learned counsel for the applicant.
2. The applicant herein is apprehending her arrest in Crime No.3035 of 2016 registered at Chatushrungi Police Station on 8.5.2016 for the offences punishable under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.
3. It is the case of the prosecution that on the basis of a secret information, PSI of Kothrud Police Station had raided the premises at Pallavi Apartment, Shivalaya Society, 3rd floor, flat No.5 which stands in the name of the present applicant. That one Devidas Bajirao Bansode was

present in the said flat. The police had raided the premises on the ground that they had reliably learnt that the applicant herein is using the said premises as a brothel and is indulging into immoral trafficking. Bajirao Bansode had disclosed to the police authorities that upon instructions of the present applicant, the said premises is used as a brothel. Hence, the police officer had lodged the first information report. Bajirao Bansode was arrested on the spot.

4. The applicant had approached the Court of Sessions seeking pre-arrest bail. The said application was earlier rejected on 13.6.2016. There was no change in circumstances. However, a subsequent application was filed which was registered as Criminal Application No.1705 of 2016, which was rejected on 13.6.2016.

5. The learned counsel for the applicant submits that those girls were found in the said premises. All the girls were major. They had disclosed that they had volunteered into the said trade. The learned counsel further submits that in these circumstances, the applicant deserves grant of pre-arrest bail.

6. The learned APP has placed on record the report given by the Investigating Officer which clearly shows that there are 18 similar offences registered against the present applicant. That she has been arrested in Crime No.3035 of 2016. It is also submitted that externment proceedings were initiated against the present applicant. The applicant is absconding.

7. The learned APP, upon instructions, submits that the applicant herein has been arrested in an offence registered at Kothrud Police Station in similar case and is in Magistrate's custody. The learned APP further submits that in the present case custodial interrogation is imperative. The Investigating Officer is at liberty to take coercive action and seek remand of the applicant in the present case.

8. The report is taken on record and marked "X" for the purpose of identification.

9. The application being sans merits, stands rejected.

(SMT.SADHANA S.JADHAV, J.)