

Vidya.Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3226 OF 2016

Sanjya Kamalsingh Chade @ Anjya Bai Kamal Singh Chade & Anr.	... Petitioners
Vs.	
The State of Maharashtra	... Respondent

Mr. Satyavrat Joshi i/b. Mr. Jaydeep D. Mane, Advocate for the petitioners.
Mr. S.R. Agarkar, APP for the respondent/State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **9th December, 2016**

P.C.:

Rule. By consent, rule is made returnable forthwith

2. In this Writ Petition, the order dated 20th June, 2016 passed by learned Judicial Magistrate First Class, Barshi and order dated 23rd August, 2016 passed by learned Sessions Judge, Barshi thereby rejecting to handover the custody of a victim girl to the petitioner/mother, is challenged. The victim girl was taken in custody on 28th May, 2016 in C.R. No. 205 of 2016 at Barshi Police Station, Solapur where the accused persons were prosecuted under sections 3, 4 and 5 of Prevention of Immoral Trafficking Act, 1956. The victim was sent to Welfare Home, namely, Renuka Mata Mahila Sudhar Vasti Griha, Solapur. The mother made application for custody of the victim girl, which was rejected by the learned Magistrate on the ground that there is likelihood that the girl will

again go in prostitution, which cannot be overruled. The learned Additional Sessions Judge, Barshi confirmed the said order.

3. The learned counsel for the petitioners submitted that the police have no objection in handing over the victim girl to her mother. The victim is nearly 24 years old.

4. The learned APP submits to the order of the Court.

5. Heard the submissions of the learned counsel and considering the facts of the case, rule is made absolute in terms of prayer clauses (a) and (b).

(MRIDULA BHATKAR, J.)