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

CRIMINAL BAIL APPLICATION NO.1810 OF 2017

Arti Kunwar Singh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms.Roshni Singh, for the Applicant.

Ms.J.S.Lohakare, A.P.P for the Respondent-State.

PSI – Sapkale, V.P.Road Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.

DATE : 1st SEPTEMBER, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks her enlargement on bail in connection with C.R.No.369 of 2016 registered with the V.P.Road, Police Station, Mumbai, for the alleged offences punishable under Sections 366(A), 370(A), 370(1),(3), 34 of the Indian Penal Code and under

Sections 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 and under Sections 4, 8 and 17 of Protection of Children from Sexual Offences Act.

3. Learned Counsel for the applicant submits that investigation is complete and charge-sheet is filed. She submits that the allegations as against the applicant are false and baseless and that no specific role has been ascribed to the applicant. She submitted that there is nothing to show that the girls were caught indulging in prostitution. She submitted that the applicant is a widow and mother of 4 children. She submits that the applicant is suffering from Tuberculosis and is in the 2nd stage and that if not treated, there is a possibility of her condition further deteriorating. She further submits that the applicant has no antecedents.

4. Perused the papers. Pursuant to an information given by a Member of an NGO that a person named Virendra was providing minor girls for prostitution, the V.P.Road Police Station laid a trap. The informant called a person named Virendra on his mobile and asked for a girl. The said person asked for Rs.2 lakhs as prostitution amount and called the informant to Sai Shradha Guest House at Khetwadi, Mumbai. It is alleged that

Virendra told the informant that his partner Dinesh (accused no.1) will meet him and will book a room for him. Pursuant thereto, the first informant with the help of Samaj Seva Branch and 2 bogus customers went to Sai Shradha Guest House and 2 minor girls, aged 17 and 15 years were rescued. The applicant is the aunt of one of the victim girls, who was apprehended at the spot.

5. Learned APP informs that the minor girl has been handed over to her mother and is presently with her mother. She also does not dispute the fact, that the applicant has no antecedents.

6. It appears that the applicant is suffering from Tuberculosis and is in the 2nd stage. Investigation is complete and charge- sheet is filed. The applicant has no antecedents. In the peculiar facts of this case, the application is allowed and 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.20,000/- with one or more local 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 framing of the charge;

iii) 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 trial Court as well as to the concerned Police Station, in writing;

iv) The Applicant shall not contact the complainant, victim girls, witnesses or any person concerned with the case;

v) The Applicant shall co-operate in the conduct of the trial.

7. The Application is allowed and disposed of in above terms.

8. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide

the case on its own merits, uninfluenced by the observations made herein.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)