

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

ANTICIPATORY BAIL APPLICATION NO. 62 OF 2018

Umesh Mahabal Shetty.	... Applicant.
Versus	
The State of Maharashtra.	... Respondent.

Mr. Niranjan Mundargi i/b. Ms. Swapna P. Kode a/w. Mr. Satyam H. Nimbalkar, advocate for Applicant.

Ms. S.S. Kaushik, APP for State.

Mr. Raju Mahanor, PSI, Loni Kalbhor Police Station, Pune(Gramin).

**CORAM : SMT.SADHANA S. JADHAV,J
DATE : JANUARY 17, 2018**

P.C.:

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 This is an application under section 438 of the Code of Criminal Procedure, 1973. The applicant herein is apprehending his arrest in Crime No. 849 of 2017 registered at Loni Kalbhor Police Station for

offence punishable under section 3, 4, 5, 6 and 7 of the Immoral Traffic Prevention Act.

3 It is the case of the prosecution that on 29/11/2017 police had raided hotel Sai Buddu at Village Loni Kalbhor. It is alleged that the manager of the said hotel was running prostitution den. Two girls aged 26 and 24 years have been apprehended. Their statements were recorded. Both the girls had candidly stated that due to economic stringencies, they had voluntarily entered into the profession of prostitution.

4 The applicant runs the hotel in the name of Sai Chaitanya. Accused Nos. 1 and 2 were taken into custody and while in custody they have disclosed to the police that they are working for Hotel Sai Chaitanya. Hence, the applicant was arraigned in the Crime No. 849 of 2017.

5 Upon perusal of the papers of investigation and considering
submissions advanced across the bar, this Court is of the opinion that
no role is attributed to the present applicant. Hence, the applicant
deserves grant of pre-arrest bail.

6 It is made clear that the observations are restricted to the
application under section 439 of the Code of Criminal Procedure,
1973 and shall not be taken into consideration for purpose of
discharge application or quashing of FIR or at the time of trial.

7 Hence following order is passed.

ORDER

(i) The application is allowed.

(ii) In the event of arrest in Crime No. 849 of 2017 registered at
Loni Kalbhor Police Station, the applicant be enlarged on bail on
furnishing P.R. Bond in the sum of Rs. 25,000/- and one or more
sureties in the like amount.

(iii) The applicant shall report to the concerned police station as and when called and cooperate with the investigating agency to the best of his capacity.

8 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)