

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1250 OF 2018

ANJU BALBIR SINGH

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

Mr.P..RDave i/b. Mr.Tushar Kadam, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 24th SEPTEMBER 2018

P.C. :

1 This is second bail application of the present applicant/accused who is an accused in Crime No.41 of 2017 registered with D.B.Marg Police Station for offences punishable under Sections 366A, 370(1) read with 34 of the Indian Penal Code as well as under Sections 3, 4, 5, 7(1)(B) of Immoral Traffic (Prevention) Act and under Sections 4, 8 and 17 of the Protection of Children from Sexual Offences Act.

2 Heard the learned counsel appearing for the applicant/accused. He argued that co-accused named Satish Gowda is released on bail by co-ordinate Bench of this court vide order dated 12th December 2017, and therefore, the applicant/accused is also entitled to be released on bail. Some submissions on merit are also advanced. The learned APP opposed the application.

3 I have considered the submissions so advanced. So far as co-accused Satish Gowda is concerned, paragraph 4 of the order dated 12th December 2017 passed by the co-ordinate Bench of this court in Bail Application No.1717 of 2017 reads thus :

“4 The statements of the victims namely Roshni and Pallavi indicate that they were indulging into the said vocation at their own will and prima facie it appears that there is no allegation against the applicant that, the applicant has forced them into the said vocation. The record further indicates that, it is the accused no.1 Anju Singh who was instrumental in conducting the said vocation and was indeed earning her livelihood derived from the said vocation.”

4 In this view of the matter, the applicant/accused cannot take advantage of the fact that the co-accused has been released on bail by this court, and therefore, the applicant/accused is also entitled for the same treatment.

5 So far as merits of the matter are concerned, this court has already rejected the previous bail application of the present applicant/accused vide order dated 8th November 2017. The grievance that the trial has not yet started can be taken care of by issuing appropriate directions to the learned trial court. Therefore the following order :

ORDER

- i) The application is rejected.
- ii) However, the learned trial court is directed to expedite the hearing of Sessions Case No.216 of 2018 and decide it within a period of 8 months from the date of receipt of this order.
- iii) Parties to act on authenticated copy of this order.

(A. M. BADAR, J.)

Arti Vilas
Khatate

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Arti Vilas Khatate

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