

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1288 OF 2018

Sunil Yashwant Pukle. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Mr. Kuldeep S. Patil, advocate for applicant.

Mr. S.S. Pednekar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : JUNE 22, 2018.

P. C. :

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

2 This is an application under section 439 of the Code of Criminal Procedure, 1908. The applicant herein is arrested on 28/11/2017 in Crime No. 326 of 2017 registered with Vishrambag Police Station, Dist. Sangli for offence punishable under section 370, 366(a) read with section 34 of the Indian Penal Code and 3, 4, 5, 6 of Immoral Traffic Prevention Act, 1956 and section 4, 5, 6 of the Protection of Children from Sexual Offences Act, 2012. Investigation is completed and charge-sheet is filed on 15/2/2015.

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3 It is the case of the prosecution that on the basis of the secret information, police had raided the premises of Pooja @ Savita Manoj Boin. That they had sent a decoy customer to the said premises and had raided the same. A minor girl aged about 17 years was found in the premises. Similarly, there were two women who were major and had volunteered that they were into the profession of prostitution. After raid, Shilpa Yemgekar, PSI of Immoral Trafficking Branch had lodged a report, on the basis of which, offence was registered.

4 Upon perusal of the statement of the minor girl, it appears that she was in abusive marriage. She had abandoned her matrimonial family and her parents had refused to take care of her. She had met one person namely Abdul from Kankawali who had directed her to the house of Savita @ Pooja and there, she was forced into prostitution. It appears that the applicant herein was soliciting the customers. He had not abducted any minor nor he had induced any one into prostitution. The co-accused are enlarged on bail and therefore, by virtue of doctrine of parity, the applicant deserves to be enlarged on bail.

5 The observations are prima facie in nature and shall not be considered for discharge application or at the time of trial.

6 Hence, following order is passed :

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ORDER

- (i) The application is allowed.
- (ii) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 50,000/- and one or more sureties in the like amount.
- (iii) The applicant shall give an undertaking to Vishrambag Police Station, District-Sangli within two weeks from his release that he would attend all the dates of the trial. He shall also furnish his residential address as well as his contact number such as cell phone number, landline number etc.
- (iv) The applicant shall not tamper with the evidence.
- 7 The application is disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]