

nsc.

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

CRIMINAL BAIL APPLICATION NO.2526 OF 2017

Reshma Rajendra Shrivastava

...Applicant

Versus

State of Maharashtra

...Respondent

Mr.M.M.Badgujar, for the Applicant.

Mr.A.A.Palkar, A.P.P for the Respondent-State.

PSI – R.P.Khade, Central Police Station, Ulhasnagar.

CORAM : REVATI MOHITE DERE, J.

DATE : 2nd APRIL, 2018

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.I-405 of 2016 registered with the Central Police Station, Ulhasnagar, for the alleged offences punishable under 370(2), 34 of the Indian Penal Code, under Sections 3, 4, 5 and 7 of Immoral Traffic (Prevention) Act, 1956 (PITA Act) and under Section 12 of Protection of Children from Sexual Offences Act.

3. Perused the charge-sheet, in particular the statement of the victim girl, who was aged 17 years, at the time of the incident. A perusal of her statement shows that she was an orphan. She has stated that she had gone to the applicant's house in search of a job, as she had learnt that the applicant and her son would give work to ladies. She has stated that the applicant and her son took advantage of her difficulty and the fact that she was an orphan and had forced her to have physical relations with male customers. The statement of the victim girl, aged 17 years, recorded under Section 164 of Code of Criminal Procedure, is also consistent with her statement recorded by the police dated 26th September, 2016. She has stated in her 164 statement that the applicant had forced her into prostitution and had taken advantage of her economic condition. If the applicant is enlarged on bail, the possibility of the applicant tampering with the witnesses and influencing the witnesses and the victim girl, cannot be ruled out.

4. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail.

5. Accordingly, the application for bail is rejected and disposed

of as such. However, the trial of the applicant is expedited. The learned Judge to conclude the trial as expeditiously as possible. If the said trial does not conclude within a reasonable period, for no fault of the Applicant, the Applicant is at liberty to file a fresh application seeking her enlargement on bail, which will be considered on its own merits.

6. It is made clear that the observations made herein are prima facie for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)