

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3032 OF 2017

Krushnakumar Khedan Chamar ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Ram Upadhyay for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.
DATE : 15th FEBRUARY, 2018

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 366 of 2016 dated 28.07.2016 registered with Malad Police Station, Mumbai under Sections 370(1)(4), 374, 376, 342, 323, 504, 506 read with Section 34 of the Indian Penal Code and under Section 4 of the Protection of Children from Sexual Offences Act, 2012 read with Sections 75, 79 of the Juvenile Justice Act, 2015 read with Sections 9, 10, 11 of the Child Marriage Restraint Act read with Sections 3, 14 of the Child Labour (Prohibition and Regulation) Act.

2 Heard the learned Counsel for the Applicant and the learned APP. Perused
the charge-sheet.

3 The first information report is lodged by Mrs. Gudia G. Paswan.

It is the case of the prosecution that first informant's mother is expired and

her father thereafter, performed second marriage. Due to poverty at her parents house, she requested one lady of her acquaintance to give her a job and accordingly, she came at Delhi. At Delhi, the first informant was kept at Pariyas Mahila Ashram. That her aunt namely Fuva Lalmuni thereafter, took her at her residence and performed her marriage with the Applicant. It is stated that the said marriage was against her wish and will of the first informant. It is further stated that Applicant was in rag picker and his income was insufficient to have their livelihood. It is further stated that with the help of Smt. Manju, she came to Mumbai and at Mumbai she joined the employment of Smt. Rekha and Smt. Reshma. It is further stated that said two ladies used to beat her for not performing her duties properly and kept her as a captive. It is stated that the first informant somehow managed to rescue herself from the clutches of the said ladies and thereafter, approached the police. In the premise, the first information report is lodged.

4 The record indicates that the Applicant is a legally wedded husband of the first informant. The medical report of the first informant indicates that she was about 19 to 20 years aged on the date of lodgment of present crime and there is an error in recording her age as 14 years in the first information report.

5 In view of the above, Applicant is entitled to be released on bail.

Hence, the following order:

i) The applicant be released on bail in C.R. No. 366 of 2016 dated

28.07.2016 registered with Malad Police Station, Mumbai on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

ii) After his release from jail, the applicant shall attend concerned Police Station once in month i.e. on every first Monday of the month between 11.00 a.m. to 2.00 p.m.

iii) The applicant shall also attend all the dates before the Trial Court.

iv) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)