

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

CRIMINAL BAIL APPLICATION NO. 600 OF 2019

Pradnya Yashwant Yadav	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

- Mr.R.V. Gupta for the Applicant.
- Mrs.A.A. Takalkar, APP for the Respondent.
- Mr.Prashant Kharat, API, Chembur Police Station.

CORAM : PRAKASH D. NAIK, J.

DATE : 22nd FEBRUARY, 2019.

P.C. :

1] The Applicant is arrested in C.R. No. 360 of 2018 registered with Chembur Police Station for the offence punishable under Sections 354, 354A, 506 (2) of the Indian Penal Code [*for short, "I.P.C."*] and under Sections 8, 10, 12, 21 of the Protection of Children from Sexual Offences Act, 2012 [*for short, "P.O.C.S.O. Act"*].

2] The case of the Prosecution is that the Applicant is the mother of the victim. The Applicant's husband is suffering from mental illness. The Accused No.1 used to visit the house of the

Applicant and used to outrage the modesty of the victim by touching her inappropriately. The Accused No.1 also used to show obscene videos to the victim. The victim brought the said fact to the notice of the Applicant, but she did not initiate any action.

3] Learned counsel for the Applicant submits that the Applicant is in custody from 10th January, 2019, the investigation is completed and the Charge-sheet has been filed. Learned counsel drew attention to the Charge-sheet where it is indicated that considering the role assigned to the Applicant, Section 21 of the POCSO Act has been invoked in this case. It is submitted that Section 21 of the POCSO Act provides punishment for the period of six months and therefore, it is bailable offence. Learned APP, however, submits that the Prosecution has alleged that the Applicant has aided and abetted the Accused No.1 in committing the crime.

4] At this stage, it would not be appropriate to give any finding on that aspect. However, considering the role assigned to the Applicant and since the investigation is completed and the charge-sheet is filed, further detention of the Applicant is not necessary. Hence, the case for grant of bail is made out.

5] Hence, I pass following order :

- (i) Bail Application No. 600 of 2019 is allowed.
- (ii) The Applicant is directed to be released on bail in connection with C.R. No. 360 of 2018 registered with Chembur Police Station on her furnishing PR Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (iii) The Applicant shall attend the trial Court proceedings regularly, unless exempted by the trial Court.
- (iv) The Applicant is permitted to furnish cash security of Rs.25,000/- for the period of six weeks.

[PRAKASH D. NAIK, J.]