

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

ANTICIPATORY BAIL APPLICATION NO. 2671 OF 2019

Pramod Ankush Dhumal

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Pranav H. Bhoite, Advocate for the Applicant.

Smt. A. A. Takalkar, APP for the State-Respondent.

Mr. N.B.Valekar, Police Constable, Daund Police Station, Pune Rural,
Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 6th December, 2019

PC :

1. This is an application for anticipatory bail in connection with C.R. 417 of 2019 registered with Daund Police Station, Pune for offences punishable under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act 1956. Subsequently, Section 372 was invoked.

2. The case of the prosecution is that on 25th July, 2019 the raid was conducted by the police at hotel Rajwada. . It was noticed that the prostitution activity was conducted at Hotel Rajwada. Two victims were present. Both were major. The owner and manager was also present. The accused No.1 and 2 were arrested. They were allegedly carrying illegal prostitution business. During interrogation it was revealed by accused No.1 that hotel is managed by applicant

and Ravi Pujari. Ravi Pujari was arrested. The arrested accused were granted bail.

3. Learned counsel for the applicant submitted that he has been falsely implicated in this case. There is no evidence to show that the applicant is involved in the alleged activities. The victims have not stated that they were forced to indulge in prostitution. or they were exploited. It is further submitted that the victims were major.

4. Learned APP submitted that the statement of victims were recorded. One of the victim was minor at the time of incident. The applicant's involvement was disclosed during the course of investigation. The minor girl was medically examined it was opined that she is more than 16 but less than 18 years.

5. During the course of investigation, Aadhar Card of the said victim was recovered which shows that her Date of Birth as 21st February, 1997. Learned APP on instructions submitted that no investigation is conducted about the genuineness of the Aadhar Card. Considering the Date of Birth mentioned on Aadhar Card, the age of the victim would be 21 years at the time of incident. The applicant was not found at the time of raid conducted by the police. There is no evident to show that, victim who is allegedly minor was brought by applicant. The victim has stated that she was not forced to indulge

in prostitution. In the aforesaid circumstances, custodial interrogation of the applicant is not necessary. Hence, case for grant of bail is made.

ORDER

- i) Anticipatory Bail Application No.2671 of 2019 is allowed;
- ii) In the event of arrest of applicant in C.R. 417 of 2019 registered with Daund Police Station, Pune, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25000/-, with one or more sureties in the like amount;
- iii) The applicant shall attend Investigating Officer on 11th to 13th December, 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when called for till filing of charge-sheet.
- iv) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)