

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

CRIMINAL BAIL APPLICATION NO. 3371 OF 2019

Harishchandra Raju Shetti ...Applicant

V/s

The State of Maharashtra ...Respondent

Mr. Pandit. Kasar i/b. Rohit Mangsule for the applicant.
Mr. H. R. Dedhia, APP for the State.

CORAM : PRAKASH D. NAIK, J.

DATE : 15th JANUARY, 2020

PC :

1. The applicant is seeking bail in connection with C.R. No. 529 of 2019, registered with Shahupuri Police Station, Kolhapur, for offences punishable under Section 370 of Indian Penal Code, 1860 ('IPC' for short) and Sections 3, 4, 5, 6, and 7 of the Immoral Traffic (Prevention) Act, 1956. The applicant was arrested on 27.09.2019.

2. The prosecution case is that, on 26.09.2019 Duty Officer of Shahupuri Police Station, Kolhapur received information that the applicant is indulging in prostitution activities by providing girls at Moonlight Family Restaurant. Raid was arranged. One person was instructed to act as Puntar. Police Van went to hotel Moonlight Family

Restaurant owned by Kisan Lokhande. They found Punter with girl in one of the room. They also found another girl in another room. Their statement have been recorded. They told that the applicant pays them Rs. 500/- per customer. Investigation is completed and charge-sheet is filed.

3. Learned counsel for the applicant submitted that, there is no evidence to show that the applicant was carrying business of prostitution at Hotel Moonlight. The applicant is in custody from the date of arrest. Two girls found in the hotel premises were major.

4. Learned APP submitted that the applicant's role was providing girls for prostitution. Applicant's involvement is disclosed by the witnesses. He was indulging in prostitution activities.

5. The girls found at premises were major. Their statements were recorded. They have stated that they are indulging in prostitution, of their own will. Investigation is completed and charge-sheet is filed. Further custody of the applicant is not necessary. Hence, bail can be granted to the applicant.

6. Hence, I pass the following order:

ORDER

- (i) Bail Application No. 3371 of 2019, is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No.529 of 2019, registered with Shahupuri Police Station, Kolhapur, on his furnishing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) The applicant shall report concerned Police Station, once in a month on first Saturday of every month between 10:00 a.m. to 12:00 noon till further order;
- (iv) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)