

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

BAIL APPLICATION NO.3035 OF 2019

Chitra Sanjay Mane ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Viresh V. Purwant with Chandani Sachdev and Mr. Rushikesh Kale for the Applicant.
Mr. S.R.Agarkar , APP for the Respondent-State.
API Pankaj Ghatkar attached to Kashimira P.Stn.
Present.

CORAM : SANDEEP K. SHINDE J.
DATE : 15TH JANUARY, 2020

P.C. :

Heard.

2 On 9th July, 2019, premises were taken on lease by one Hanif Shaikh (co-accused), which was raided and thereon 3-4 commercial sex workers were rescued. It is alleged that the premises were used for sexual exploitation for commercial purposes. It is stated that the applicant was allegedly working as a manager in the said premises.

Rupees 3,000/- was paid by the decoy customer to the accused persons was allegedly recovered from the counter, which was managed by the applicant. The pre-trap panchanama and post-trap panchanama corroborate this fact. The contention made by the learned counsel for the applicant is, applicant was the salaried employee and was not living on the earnings of the prostitution. Applicant is a lady, who is in custody since 9th July, 2019.

3 I have perused the evidence as also, the statement of the victim, who said, applicant was equally receiving the share in the amount paid by the customers for their sexual exploitation. However, evidence shows, premises, which were raided was taken on leave and licence basis by the co-accused as its exclusive licensee. Therefore, except the statement of the victim that the applicant was also receiving the share in the money paid by the customers for their sexual exploitation, prima-facie, there is no evidence to suggest that the applicant was living on the earnings of the prostitution. Investigation in the case

2019.odt

is over. No criminal antecedents are brought to my notice as against the applicant. Her presence for the trial can be secured by imposing suitable conditions. Application is allowed. Hence, the following order:

ORDER

(i) The applicant be enlarged on bail in Crime No.I-425 of 2019, on executing PR Bond in the sum of Rs. 20,000/- with one or two sureties in the like sum;

(ii) The applicant shall attend the concerned Police Station once in a month on 3rd Monday of every month commencing from January, 2020 between 11:00 a.m. to 1:00 noon till the charge is framed ;

(iii) The applicant shall inform her latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer of the concerned Police Station;

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

4 The application is accordingly allowed and disposed of.

5 It is made clear that observations made hereinabove be construed as expression of opinion only for the purpose

of refusal to grant bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)