

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

CRIMINAL BAIL APPLICATION NO.2213 OF 2021

Girish Anil Pawar

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Ritesh M. Thobde, for the Applicant.

Ms. P. P. Shinde, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 13th OCTOBER 2021

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 1198 of 2020 registered with the Foujdar Chawadi Police Station, Solapur, for the alleged offences punishable under Sections 370 (1)(2)(3) of the Indian Penal Code and Sections 3, 4, 5 and 6 of Prevention of Immoral Trafficking Act.
3. Perused the papers. According to the complainant-Rajendra Bandgar, on 24th November 2020 at about 4:00 p.m, Police Inspector Shri Bajrang Salunkhe received a secret information from a reliable source that illegal prostitution activities were going on in a cottage located behind

Amrutalaya Hotel and that Vicky Pawar was bringing girls for illegal prostitution activities. Pursuant thereto, a raid was conducted at the Anil Cottage and two girls were rescued aged 25 and 26 years. Both the said victim girls have stated that they were called by Vikram alias Vicky Pawar 5 days prior, for prostitution activities. It is alleged by the said victim girls that Vicky Pawar had assured to give them Rs. 300/- per customer.

4. Learned Counsel for the applicant seeks bail on the ground of parity. He submits that identically placed co-accused – Mohsin Sardar Tamboli, Manager of Anil Cottage, where prostitution activities were allegedly going on has been released on bail by this Court vide order dated 6th October 2021.

5. Learned APP does not dispute the same. She submits that the applicant has no antecedents. She, however, submits that the applicant had knowledge that prostitution activities were going on in the said cottage.

6. The applicant is stated to be the owner of the cottage i.e. Anil Cottage, where prostitution activities were allegedly going on. Admittedly, the applicant was not present at the time of the alleged incident. The applicant is in custody since 15th February 2021. Investigation is complete

and charge-sheet is filed and as such further detention of the applicant is not warranted.

7. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m, for a period of 12 months from the date of his release;

(iii) The applicant shall inform his 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 Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The applicant to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;

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

(vi) The applicant shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of his release;

(vii) If there is breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

8. The application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.