

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

ANTICIPATORY BAIL APPLICATION NO.496 OF 2021

Manish Kanji Makwana

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr.Rushikesh Patil, Advocate for Applicant.
- Ms.A.A. Takalkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 23rd FEBRUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.476/2020 registered with Nigdi Police Station, Pimpri-Chinchwad, dated 15/12/2020, under sections 3, 4, of the Immoral Traffic (Prevention) Act, 1956 and under section 370 r/w 34 of the Indian Penal Code.

2. Heard Mr.Rushikesh Patil, learned counsel for the Applicant and Ms. A.A. Takalkar, learned APP for the State.

3. The FIR is lodged on 14/12/2020 by API Vijay Laxman Kamble, attached to Social Security Squad in Pimpri-Chinchwad. He has stated that on prior information police party arranged to conduct a raid at a Spa on Mumbai-Pune highway. For that purpose two panchas and a bogus customer were called. Bogus customer was given four currency notes of Rs.500/- denomination. He was asked to give prearranged signal i.e. a missed call, once his money was accepted. At about 04.15 p.m. on 14/12/2020 after receiving a missed call from the bogus customer the police party conducted raid on that particular Spa. The bogus customer was found with the victim. There was one Shan Mahemud Khan in the premises. He claimed to be the manager of the Spa. The notes given by the police which were marked earlier, were found with the said person. He was apprehended and thus FIR is lodged.

4. Learned counsel for the Applicant submitted that the Applicant is a lady and she is willing to cooperate with the investigation. She was only in possession of the Spa, pursuant to a lease agreement. She has nothing to do with the prostitution.

5. Learned APP opposed this application and produced the paper of investigation before me.

6. I have considered these submissions and in particular I have perused the statements of victims in this case. There were statements of four victims. All of them have identically narrated that they were forced to have sex with the customers visiting that Spa centre. These victims have categorically stated that the manager Shan Mahemud Khan and the present Applicant used to take money from the customers directly and only some part of the money was paid to the victims. Thus, at this stage, there is sufficient material against the Applicant to show her involvement in the offence. The offence is serious. Her custodial interrogation is necessary to find out the activities she has indulged in and to find all the victims who had suffered at her hands. No case for anticipatory bail is made out. The application is rejected.

(SARANG V. KOTWAL, J.)