

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

CRIMINAL APPLICATION NO.232 OF 2017

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The State of Maharashtra

...Applicant

Versus

Sushil Prakash Kumar and Anr.

...Respondents

....

Mr. S.V. Gavand, APP for the Applicant.

Mr. Prabhanjay Dave, for Respondent Nos.1 and 2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 13th SEPTEMBER, 2021.

P.C.:-

Heard Mr. Gavand, learned APP for the Applicant -State and Mr. Dave, learned counsel for Respondent Nos.1 and 2. Perused the records.

2. By this application filed under Section 439 (2) of the Code of Criminal Procedure, 1973, the State has sought cancellation of bail granted to the Respondents vide order dated 18/02/2017 in ABA No.19 of 2017 relating to crime No.63 of 2016 registered with DCB CID Unit-9 (Bandra) Police Station for the offences punishable under Sections 120B, 366(A), 370, 372, 373, 376, 420, 465, 468 and 471 of the IPC and Sections 3(1), 4 and 5 of PITA Act.

3. The aforesaid crime was registered pursuant to the FIR lodged by the victim. The allegations in the FIR indicate that when she was 7 years of age she was initially compelled to make household work and thereafter she was compelled to appear in several dance bars as bar dancer. The FIR indicates that the victim was 23 years of age as on the date of lodging of the FIR.

4. In my considered view order of bail is neither perverse nor suffers from any infirmities. It is stated that pending this application, investigation has been completed and charge sheet has been filed. It is also stated that the Respondents have not violated any of the conditions of the bail. It is also stated that considering the nature of accusations, this Court had granted pre-arrest bail to Ruby Thakur, one of the main accused involved in the crime. Learned counsel for the Respondents states that challenge to this pre-arrest bail has been dismissed by the Hon'ble Supreme Court.

5. Under the circumstances, no grounds are made out to cancel the bail. Hence, the application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)