

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.121 OF 2022

Ketan Santosh Soni .. Applicant
Versus
The State of Maharashtra .. Respondent

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Ms.Beerta H. Bajwa with Mr.Ketan Kothari for the Applicant.
Ms.A.A.Takalkar, A.P.P. for the State/Respondent.
PSI N.S.Wadkar, attached to Dombivali Police Station, present.

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CORAM: BHARATI DANGRE, J.
DATED : 21st SEPTEMBER, 2022

P.C:-

1. In compliance of the earlier direction, the Investigating Officer has filed an additional affidavit, where it is not disputed that the elder child of accused No.2, namely, Aditya was admitted in 'Nandadeep Foundation'. It is also not disputed that accused No.2 was suffering from Tuberculosis, but the specific statement is made that no evidence is produced to show that it was the applicant, who has rendered any financial support to her.

In the affidavit it is stated that the child trafficking is a serious offence and the applicant is a doctor and, therefore, is not entitled for protection from arrest.

2. On hearing the learned counsel for the applicant and the learned A.P.P., it can be seen that the child, who was alleged to be sold to the present applicant, has been restored to the mother, who is arraigned as accused No.2 and it is informed that, she has been released on bail.

The applicant will take the consequences of the accusations levelled against him, but at present, the child is already restored to the mother and defence set up by the applicant to the effect that he was assisting accused No.2 and her family, need to undergo scrutiny at the time of trial.

Learned A.P.P., on instructions of the Investigating Officer, who is present in the Court, makes a categorical statement that the applicant has co-operated in the investigation by attending him and his custodial interrogation is not necessary any more.

3. Accepting the said statement, order dated 17/01/2022 is made absolute. However, the applicant shall continue to render his co-operation in the investigation.

(SMT. BHARATI DANGRE, J.)