

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

CRIMINAL BAIL APPLICATION NO. 1756 OF 2022

Jaypal Sanjay Pawar ...Applicant
Versus
State Of Maharashtra ...Respondent

....

Mr. Priyal G. Sarda, Advocate for the Applicant.

Mr. N. B. Patil, APP for the Respondent – State.

Mr. Sudhir Kharge, (PSI) Mohol Police Station, Present.

....

CORAM : PRAKASH D. NAIK, J.
DATE : 7th OCTOBER, 2022.

PER COURT:

1. The applicant was arrested on 08.01.2022 in connection with C.R. No.41 of 2022 registered with Mohol Police Station, Dist. Solapur, for offences punishable under Sections 3, 4, & 5 of the Immoral Traffic (Prevention) Act, 1956 (for short 'PITA Act'). The First Information Report (for short 'FIR') was registered on 08.01.2022.

2. The case of the prosecution is that, on 07.01.2022, the complainant received information that prostitution is conducted at King Lion Lodge, Pandharpur Road, Mohol. Accordingly, raid was conducted. Dummy customer was sent at the said place. The victim and the applicant/accused were found at the spot. The

amount handed over by the dummy customer was found in possession of the applicant. It is alleged that the applicant is instrumental in indulging victims into prostitution. Sections 370 & 370-A of IPC were invoked. Investigation is completed and charge-sheet is filed.

3. Learned Advocate for the applicant submitted that the applicant is in custody from 08.01.2022. There are no criminal antecedents against the applicant. The victims were major. They have not supported the prosecution case.

4. Learned APP submitted that the applicant is the main person, who was instrumental in inducing the victims to indulge in prostitution. He was present at the spot during the raid. The amount handed over by dummy customer was recovered from him which establishes his participation in the crime.

5. The statements of the victim girls aged about 22 years and 21 years were recorded on 28.02.2022. Their statements mentions that they were travelling with the applicant by car. The tyre of vehicle was punctured. The car was parked in the compound of the King Lion lodge and they were having tea and at that time police came to the spot and they seized their cell phones and Aadhar Cards. The statements of the victims run counter to the case of the

prosecution. Investigation is completed and the charge-sheet is filed. It is not reported that the applicant has any criminal antecedents. Hence, bail can be granted to him.

ORDER

- i. Criminal Bail Application No. 1756 of 2022 is allowed;
- ii. The applicant is directed to be released on bail in connection with C.R. No.41 of 2022 registered with Mohol Police Station, Dist. Solapur, on executing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- iii. The applicant is permitted to furnish cash bail in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety;
- iv. The applicant shall report concerned Police Station once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;
- v. Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)