

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

ANTICIPATORY BAIL APPLICATION NO. 2370 OF 2022

Namdeo Balaso Bandgar	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Rupesh A. Zade for the Applicant.
Mr. P.H. Gaikwad, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th AUGUST, 2022.

P. C. :-

. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.188/2022 registered with Bhigwan Police Station, Dist. Pune for offences punishable under sections 3, 4, 5, 6, 7 of The Immoral Traffic (Prevention) Act, 1956.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The First Information Report (FIR) and other material on record prima facie indicate that Hotel Anand, Bhigwan was raided and several

women who were forced in prostitution were rescued. The Applicant is stated to be the owner of the said Hotel.

4. The statements of the victims prima facie reveals that the co-accused was working in the said hotel as a Manager. He used to call them in the said hotel at the instance of the Applicant and that he used to send about 10 to 12 customers to these victims. The victims have further stated that the Applicant used to take Rs.1,000/- from the customer and by the end of the month, he used to pay to them Rs.9,000/- to Rs.10,000/- and that the remaining money collected from the customers was retained by the Applicant and the Manager.

5. The statement of the decoy witness reveals that he had visited the hotel and was asked whether he wanted a room or other services. When he object for other services, he was made to pay Rs.1,000/- and was told to choose any of the girls from room no.2. He has stated that three girls were sitting in room no.2. He took one of the girls from room no.2 and gave the pre-determined signal to the police. He has stated that the police seized several incriminating material in the raid conducted in the hotel.

6. The material on record prima facie indicates that the Applicant is

the owner of Anand Hotel which was used for the purpose of prostitution. The victims were detained in one of the rooms of the said hotel. The Applicant was living on the earnings of the prostitution and was thus exploiting these vulnerable victims, who were forced to engage in such trade either due to poverty or other akin reasons. Learned APP has stated that even after registration of the crime, the Applicant has committed crime registered as C.R.No.349/2022 for offences punishable under sections 454, 380 r/w. 34 of the Indian Penal Code and the same is under investigation.

7. Considering the above facts and circumstances, in my considered view, the Applicant is not entitled for pre-arrest bail. Hence, the Application is dismissed.

PREETI
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JAYANI

(SMT. ANUJA PRABHUDESSAI, J.)

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