

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.479 OF 2022

(VISHAL PUNDLIK PAWAR....VS.. STATE OF MAH. THR. PSO PS ARNI, DIST. YAVATMAL.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.A.Kadu, Advocate for Applicant.
Ms M.A.Barabde, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JULY 08, 2022.

1. Heard.
2. By this application under Section 438 of the Code of Criminal Procedure the applicant is seeking pre-arrest bail in connection with Crime No.436 of 2022, registered with Police Station, Arni, District : Yavatmal for the offences punishable under Section 370 of the Indian Penal Code read with Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956
3. Shri Kadu, learned counsel for the applicant submits that considering the allegations made in the First Information Report, it can be said that there is no allegation against the applicant that he abducted any girl and forced her in prostitution. He submits that the applicant attended the Police Station twice, after this Court had granted *ad-interim* anticipatory bail. He further submits that as the custody of the applicant is no more required, he prays for grant of pre-arrest bail.

4. The learned A.P.P. strongly opposed the application and submits that the four victim girls disclosed the name of the applicant and during the raid it was found that the co-accused were running a brothel. The victims have disclosed the name of one Sheikh Salim Sheikh Gaffur and the present applicant as the persons who were providing girls for the purpose of prostitution. She submits that in this case the custodial interrogation is necessary to unearth the racket, if any. Accordingly, she prays for rejection of the application.

5. I have perused the case diary, F.I.R. and reply filed by the State.

6. From the material collected by the Investigating Officer during the investigation, it can be seen that the statements of the victim girls were recorded who have disclosed the name of the applicant. Thus, considering the fact that *prima-facie* incriminating material is available on record to show the involvement of the present applicant, further, as the offence is serious and considering the severity of the punishment, I am of the opinion that the custodial interrogation is necessary. Accordingly, I pass the following order:

The Criminal Application is **rejected**.