



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3395 OF 2023**

Salubai Mahadev Shinde ... Applicant
versus
The State of Maharashtra ... Respondent

Mr. Aniket Nikam with Mr. Piyush Toshnival i/by Mr. Amit Icham, for Applicant.
Smt. A.A.Takalkar, APP for State.
Mr. Sanjay More, Vishrambag Police Station present.

**CORAM: N.J.JAMADAR, J.
DATE : 8 DECEMBER 2023**

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.583 of 2023 registered with Vishrambaug Police Station, Sangli for the offences punishable under Sections 366B, 370 read with Section 34 of the Indian Penal Code, Section 14 of the Foreign Citizens Act, 1946 and Sections 3, 4, 5, 6, 7 of the Immoral Traffic (Prevention) Act, 1956 and Section 6 of the Passport Act, 1967.
3. Pursuant to an intimation, on 22 October 2023, a raid was conducted at Gokul Nagar, Galli No.5, Sangli wherein the applicant was allegedly found running a brothel and living on the earning of the prostitution. In the said raid, a victim was found with the decoy. It transpired that the applicant was taking Rs.1000/- per customer from the said victim.
4. The learned Counsel for the Applicant submitted that the applicant is 73

years old lady. She has been roped in for being the holder of the said room. In fact, the affairs of the said premises were managed by the son of the applicant, who has since been arrested.

5. Learned APP resisted the application for pre-arrest bail. It was submitted that the statement of the victim indicates that the applicant was the person who was living on the earnings of the prostitutes.

6. The applicant appears to be above 70 years of age. Prima facie, the applicant seems to have been implicated for being the holder of the premises. Though the allegations of running a brothel have made against the applicant, yet, the learned APP, on instructions, submits that there are no antecedents. The son of the applicant who was allegedly managing the affairs of the said premises, has since been arrested.

7. In the aforesaid backdrop, having regard to the age of the applicant and the nature of the accusation, the custodial interrogation of the applicant does not seem to be warranted to facilitate further investigation. The applicant appears to have a fixed place of abode. Possibility of fleeing away from justice and tampering with evidence appears to be remote. I am, therefore, persuaded to exercise discretion in favour of the Applicant.

8. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Salubai Mahadev

Shinde in connection with C.R.No.583 of 2023 registered with Vishrambaug Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall not indulge in identical activity for which she has been arraigned in this case.

(iii) The Applicant shall co-operate with the investigation and report to Vishrambaug Police Station on 15th and 16th December 2023 in between 10.00 a.m. to 1.00 p.m., and thereafter, as and when directed and also mark her presence at Vishrambaug Police Station on 1st Monday of every alternate month in between 10.00 a.m. to 12.00 noon for a period of one year.

(iv) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any of the prosecution witnesses or any of the persons acquainted with the facts of the case.

(v) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(vi) The application stands disposed.

(vii) It is, however, clarified that the observations are confined to the consideration of entitlement for pre-arrest bail and the trial Court shall not be influenced by any of the observations in further proceedings.

(N.J.JAMADAR, J.)