

DIKSHA
DINESH
RANE

Digitally signed
by DIKSHA
DINESH RANE
Date: 2023.02.28
19:42:55 +0530

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

ANTICIPATORY BAIL APPLICATION NO.122/2023

DILIP LAXMAN GHARAT

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Datta Mane for the applicant.

Mr. S. H. Yadav, APP for State.

PI Amarsinh Patil, Arnala Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 27, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail in respect of First Information Report (FIR) No.385/2022 registered with the Arnala Police Station, Taluka-Vasai, District-Palghar, under Sections 370(1) read with 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short) read with Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956 (hereafter "the PITA Act" for short).

3. The applicant is the owner of the premises. The premises were leased out to the accused no.1-Vishal Hire. A

raid was conducted on the premises and two victims were found red handed with decoy customers. It is alleged that the accused have compelled the victim girls to indulge in prostitution and thereby committed an offence. The accused no.1 has been arrested.

4. The present applicant is being implicated on the statement of the co-accused. There is nothing to indicate that the applicant has induced the victim girls into prostitution. The premises belonged to the applicant was in possession of the accused no.1. There is only a CDR on record to indicate that the phone call was made by the accused no.1 to the applicant. The applicant is a retired Government servant and suffering from old age ailments. The accused no.1 has been arrested who was in-charge of the premises. The bank entries revealed that the applicant and his wife were receiving rent on a monthly basis. There are no criminal antecedents reported against the applicant.

5. Considering the age of the applicant, the materials on record and the nature of the accusations, the applicant can be granted facility of the pre-arrest bail. In my opinion, the custodial interrogation of the applicant is not required in the

present case.

6. The applicant further states that the applicant would be terminating the license given to the accused no.1 and ensure that the premises which is a cottage will not be used for immoral purpose. Hence the application deserves to be allowed by passing the following order.

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with First Information Report (FIR) No.385/2022 registered with the Arnala Police Station, Taluka-Vasai, District-Palghar, the applicant shall be released on bail on furnishing P.R. Bond to the extent of Rs.15,000/- with one or more sureties in the like amount.
- (c) The applicant shall report to the concerned police station on 2nd and 3rd March, 2023 and thereafter, as and when called.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish the details of his residential address and phone numbers to the investigating officer.

7. The application is disposed of.

(M. S. KARNIK, J.)