

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

DARSHAN
PRAKASH
PATIL

Digitally signed
by DARSHAN
PRAKASH PATIL
Date: 2023.08.17
16:21:32 +0530

ANTICIPATORY BAIL APPLICATION NO. 1294 OF 2023

Deepak Jadhav	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr. Pandit Kasar for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 02.05.2023

P.C. :

- 1.** This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
- 2.** The applicant is apprehending his arrest in Crime No. 178 of 2023 registered at Chakan Police Station, Pune, for the offences punishable under Sections 370(3), 201 read with 34 of the Indian Penal Code (IPC) and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 (PITA Act).
- 3.** I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
- 4.** On 30/01/2023 a raid was conducted on Shivdeep lodge and the present applicant and other co-accused were found to be running a brothel there.

5. Learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the prosecution has already filed a charge-sheet against other co-accused and thus there is no need of custodial interrogation.

6. On the other hand, learned APP submits that the applicant is involved in one more crime of similar nature. It is thus submitted that the applicant may not be released on bail.

7. I have perused the statement of the victim recorded under section 164 of the Cr.P.C. The victim has not made any allegations against the present applicant. The prosecution has already filed a charge-sheet against the other co-accused. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed.

ORDER

A) The application is allowed.

B) In the event of arrest of the applicant - Deepak Jadhav, in C.R. No. 178 of 2023 registered at Chakan Police Station, Pune, for the offences punishable under Sections 370(3), 201 read with 34 of the IPC and Sections 3, 4 and 5 of the PITA Act, he be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount, subject to payment

of Rs.1,00,000/- (in words One Lakh) to "Niyati Foundation, Alandi Devachi, S. No. 105/1, Dnyaneshwar Mangal Karyalay, Charholi Khurd, Taluka Khed, District Pune", within one month from date of uploading of this order.

[N.R.BORKAR, J.]