



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO. 585 OF 2023

Dhiraj Dattatraya Rushiya

.Vs.

State of Maharashtra, Through PSO, Saoner, Distt Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr A. G. Hunge, Counsel for the applicant
Ms Sneha Dhote,, APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : NOVEMBER 01, 2023

1. The applicant is apprehending his arrest in Crime No. 707 of 2023 registered with Saoner Police Station, Nagpur (Rural), Nagpur for the offences punishable under Sections 3(2)(a), 5(1)(c), 5(1)(g) and 5(1)(gh) of the Immoral Traffic (Prevention) Act, 1956.

2. It is the prosecution's case that on 07.08.2023 first informant Police Sub Inspector, attached with Saoner police station, received a secret information that the accused persons are running brothel in one lodge namely 'Welcome Lodge' at Saoner. When she inspected the register of Welcome Lodge she found that there are entry of two girls in room No. 102. When they were searching the room at that time one boy ran away from

backside of the lodge. Thereafter, she came to know that both the victim girls was brought in lodge for prostitution and accused persons were running brothel in the said lodge. Accused Nos.1 and 3 were arrested on the spot by the police team. It is alleged that applicant is owner of the said lodge and when said two girls arrived at Nagpur at that time applicant took them to said lodge.

3. It is the contention of learned counsel for the applicant that applicant has been falsely implicated in this case. The applicant has given the said lodge on rent basis to accused No. 3. Nothing is recovered at the instance of the applicant. Accused Nos.1 and 3 have been released on regular bail by the trial Court. The custodial interrogation of the applicant is not required. Hence, requested to allow the application.

4. It is the contention of the learned APP that applicant was in hand in glove with accused Nos. 1 and 3, who are the real brothers of applicant. They were running brothel in their lodge. The girls found at lodge are Bangladeshi Nationals. They have created false Adhar Cards and other documents, when they came to Nagpur. Applicant took them to their lodge. It shows

involvement of the applicant in the crime. There is *prima facie* case against the applicant. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused the FIR.

6. The allegations against applicant are that when both victim girls came to Nagpur, on the instruction of accused No.1, applicant received them at bus stand and took them to lodge. It appears from record that applicant issued rent agreement in favour of accused No. 3 in the year 2022 i.e. prior to one year of the incident. The accused Nos. 1 and 3 have been released on regular bail. Considering, the role attributed, custodial interrogation of the applicant is not required and I inclined to allow the application. Hence, I pass following order.

i] It is directed that in the event of arrest of the applicant- Dhiraj Dattatraya Rushiya, in connection with Crime No.707/2023, registered with Police Station Saoner, he be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one

solvent surety in the like amount.

ii] The applicant shall not in any way tamper with the prosecution evidence.

iii] The applicant shall not pressurize or threaten the prosecution witnesses.

iv] The applicant shall attend the concerned police station once in a week i.e. on every Monday between 11:00 a.m. and 1:00 p.m.

v] The applicant shall co-operate the investigation officer.

7. The criminal application stands **disposed of**, accordingly.

(SHIVKUMAR DIGE, J.)