

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.726 OF 2024

Kavita @ Ritu Shankar Prajapati Singh	...	Applicant
Vs.		
State of Maharashtra and another	...	Respondents

Mr. Prablin Singh Abrol for Applicant.
Mr. Tanveer Khan, APP for Respondent-State.
Mr. Dheeraj Panchange for Respondent No.2.
Mr. Dhanawade, PSI, Kashimira Police Station.

CORAM : MANISH PITALE, J.
DATE : JULY 19, 2024

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. In the present case, the applicant was arrested on 11.05.2023 i.e. the date on which FIR No.0344 of 2023 was registered at Kashimira Police Station, District : Mira-Bhayander, Vasai-Virar against the applicant, for offences under Sections 366-A, 370(1), 370(3), 370(4) and 372 of the Indian Penal Code, 1860 (IPC); Sections 4 and 5 of the Immoral Traffic (Prevention) Act, 1956; and Sections 17 and 18 of the Protection of Children from Sexual Offences Act, 2012.

3. The FIR was registered on the statement of a police officer, who was a part of the team that arranged for a decoy customer to trap the applicant, who was allegedly involved in the activities of pushing the victims into prostitution.

4. On the basis of the information received, when the decoy customer was sent, the applicant came with the victim girls and accepted

an amount of Rs.2 lakhs from the decoy customer and at this point, the police team apprehended the applicant.

6. The learned counsel for the applicant submits that the applicant has already suffered incarceration for more than a year. The charge-sheet has been already filed and the trial will take substantial period of time. It is submitted that the applicant has been falsely implicated as she had gone to meet the victim girls for her own personal work.

7. On the other hand, the learned APP has opposed the present application, submitting that the material on record, particularly the statements of the two victim girls and the *WhatsApp* chats exchanged with the applicant, shows the direct involvement of the applicant in such serious offences. It is submitted that the punishment for some of the offences is upto life imprisonment and therefore, the applicant suffering incarceration for slightly more than one year, cannot be a ground for enlarging her on bail.

8. This Court has perused the material on record. The statement of the informant police officer, leading to registration of the FIR describes in detail as to the manner in which the applicant accepted cash amount of Rs.2 lakhs and also the manner in which she was observed to be pushing the girls into prostitution.

9. The statements of the two girls are crucial. One of girls was minor, aged about 15 years and the other was aged about 19 years. Both of them have stated in detail about the involvement of the applicant in taking the girls to the place of the incident and the manner in which the applicant claimed that the girls would be paid handsome amount as they were virgins.

10. The entire material on record along with the charge-sheet,

including the aforesaid statements of the girls and the *WhatsApp* chats exchanged with the applicant, does make out a strong *prima facie* case against her. The offences, in the present case, are punishable for various terms of imprisonment, ranging from ten years to life imprisonment.

11. In view of the above, this Court is of the opinion that the applicant has failed to make out a case in her favour in the present application. Accordingly, the application is dismissed.

(MANISH PITALE, J.)

Minal Parab