

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

Anticipatory Bail Application No.2663 of 2024

Parvin Abdulla Bhupal

Aged about 45 years, Occ:service

Residing at: No.64, Torana Apt.

1st floor, Shivaji Maharaj Gate,

Lallubhai compound, Mankhurd,

Mumbai-400 043.

..... Applicant.

Vs.

The State of Maharashtra

(at the instance of Mankhurd

police station Mumbai)

.... Respondent.

Mr Vikas Kamble for the applicant.

Mr Yogesh Y Dabke, APP for respondent/State.

PSI Sanjay Gamkar, Mankhurd police station.

Coram : R.N.Laddha, J.

Date : 27 September 2024.

P.C. :

By this application, the applicant seeks pre-arrest bail in connection with CR No.184 of 2024, registered at Mankhurd Police Station, Mumbai, for the offences punishable under Sections 366-A, 370-A(1), 370(3) read with 34 of the Indian Penal Code; Sections 3, 4 and 5 of the Immoral Traffic

Prevention Act, 1956, and Sections 13, 16, 17 and 18 of the Protection of Children from Sexual Offences, 2012.

2. The prosecution's case, in brief, is that, the complainant Mr Kishor Martuti Ghuge, a Police Constable with Buckle No.09-3691, filed a report at the Mankhurd Police Station wherein he alleged that the applicant, along with co-accused individuals, in connivance with each other, engaged in the illegal business of the prostitution. The applicant was accused of exploiting the victims for this illegal business and maintaining themselves on the earnings derived from it.

3. Mr Vikas Kamble, the learned Counsel appearing on behalf of the applicants, asserts the applicant's innocence and submits that he has been falsely implicated in this crime. There is nothing on record to link the applicant to the alleged crime. There is no material on record to substantiate the allegations, nor is there any indication that the applicant was involved in bringing the victims for prostitution. Additionally the applicant was not present at the scene when the alleged raid was conducted. The investigation is complete, and the charge sheet has been filed. The applicant has no criminal antecedents, and the allegations against her are general and vague.

Moreover, except one, all other accused are already released on bail and there is nothing to be recovered or discovered from the applicant. There is no risk of the applicant fleeing or tampering with the witnesses, and she will not misuse her liberty if granted bail.

4. At the outset, Mr Yogesh Dabke, the learned Additional Public Prosecution representing the respondent/ State, asserts the severity of the offence and contends that the applicant played a significant role in the criminal activities that resulted in the filing of the FIR. Furthermore, one of the co-accused is yet to be arrested.

5. This Court has perused the copy of the charge sheet filed along with the accompanying documents. It is not in dispute that at the time of raid the applicant was not present at the scene. There is nothing on record to suggest that the applicant has any communication with the co-accused. The co-accused, except one, all others are released on bail. The investigation was complete, and the charge sheet has been filed. The applicant has no criminal antecedents. The victims have not named the applicant as involved in the crime and there are no allegations of sexual assault against the applicant.

Consequently, the applicant's custody is deemed unnecessary. In this backdrop, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in CR No.184 of 2024, registered at Mankhurd Police Station, Mumbai, she shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, herself or through any other person, shall not indulge in any activity that may tamper with the evidence or influence the witnesses.

[R. N. Laddha,J.]