

HIGH COURT OF UTTARAKHAND AT NAINITAL
First Bail Application No.1577 of 2024

NajreenApplicant

Versus

State of UttarakhandRespondent

Present:-

Mr. Mohd. Safdar, Advocate for the applicant.

Mr. Pankaj Joshi, A.G.A. for the State.

Hon'ble Ravindra Maithani, J. (Oral)

Applicant is in judicial custody in Case Crime No. 302 of 2024, under Section 143, 144 of the Bharatiya Nyaya Sanhita, 2023 Section 3/4/5/7 of Immoral Traffic (Prevention) Act, 1956 and Section 17/18 of the Protection of Children From Sexual Offences Act, 2012, Police Station Piran Kaliyar, District Haridwar. She has sought her release on bail.

2. Heard learned counsel for the parties and perused the record.

3. As per prosecution, upon a raid having been made, on 11.07.2024, the applicant was found in a hotel, where she was indulged in prostitution. She revealed that at the instance of the co-accused. It is a case in the FIR that the applicant also brought a minor girl for prostitution in the hotel.

4. Learned counsel for the applicant would submit that the minor girl, who was allegedly taken in the hotel by

the applicant for prostitution did not reveal the name of the applicant, as a person, who brought her in the hotel. He would refer to the statement of that minor girl recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"). It is argued that, in fact, the applicant is a victim.

5. Learned State counsel admits that the minor girl, who was allegedly brought in the hotel by the applicant for prostitution did not name the applicant, as such, as the person, who brought her in the hotel for prostitution in her statement recorded under Section 183 of the BNSS. But, he would submit that during investigation, she revealed it to the Investigating Officer.

6. Having considered the entirety of facts, this Court is of the view that the applicant deserves to be enlarged on bail.

7. The bail application is allowed.

8. Let the applicant be released on bail, on her executing a personal bond and furnishing two reliable sureties, each of the like amount, to the satisfaction of the Court concerned.

(Ravindra Maithani, J)
18.11.2024