



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1683 OF 2024
IN
CRIMINAL APPEAL NO. 382 OF 2024

Rajanti @ Kali Pradhan Karmavat
Aged 46 years, Occ. Labour,
R/o. Shankarpura, Tah. Hindori,
Dist. Bundi, Rajasthan

... Applicant

Versus

The State of Maharashtra
through its Police Station Officer,
Police Station, Shahada,
District Nandurbar.

... Respondent

.....
Mr. Sunil Kulkarni h/f. Ms. Sunita Kulkarni, Advocate for Applicant.
Mrs. Chaitali Chaudhari - Kutti, APP for Respondent - State.

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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 18 DECEMBER 2024
PRONOUNCED ON : 02 JANUARY 2025

ORDER :

1. Not on board. Upon mentioning taken on board.
2. Instant application is with prayers for suspension of sentence and grant of bail during pendency of appeal arising out of judgment and order dated 01.03.2024 passed by learned Additional Sessions Judge, Nandurbar in Special Case No.10 of 2017 and Special Case No. 09 of 2018.
3. Learned counsel for applicant pointed out that, applicant is a lady. She is falsely involved on allegations of commission of

offence under the provisions of Immoral Traffic (Prevention) Act, 1956 (PITA Act). That, in fact, she had come with her daughter to earn for livelihood by doing domestic work. That, she has been framed for offence under above statute and is sentenced to suffer ten years imprisonment. That, she has already suffered seven years. She has health issues. That, in fact, no evidence regarding her involvement. That, even her role is not crystallized. That, along with others she is also impleaded and also held guilty, and therefore, appeal has been preferred. However, it is pending and it being of 2024, it will not be heard in near future and more time would be required to decide the appeal. Hence, the above prayers.

4. Learned APP strongly opposed the application and submitted that, there is strong evidence. That, there are allegations that she forced her own minor daughter in flesh trade. Her involvement and participation are proved on thorough investigation. Learned APP pointed to the evidence of PW12, who is a star witness for prosecution. Thus, she prayed that, applicant being held guilty in a serious crime, does not deserving relief as prayed.

5. After considering the above submissions and on going through the papers, it seems that, present applicant was charge-sheeted for commission of offence under sections 3(2)(a), 3(2)(b) and sections 4 and 5 of PITA Act read with section 34 of IPC and is

sentenced to suffer 10 years imprisonment for section 5 of PITA Act and for rest of the offences she is sentenced for two years imprisonment and to pay fine. Said judgment of Special Court is of March 2024, against which appeal has been preferred. The same is numbered as Criminal Appeal No. 382 of 2024.

6. Now, above prayers for suspension of sentence and grant of bail are pressed into service on the ground that, she has suffered seven years imprisonment and has health issues and that there are no immediate prospectus of hearing the appeal. Learned counsel pointed out that she has already suffered more than half of the sentence. True it is that, conviction recorded is in 2024, however, applicant is charge-sheeted way back in the year 2019. On complete appreciation, applicant though a lady, is found to be involved in sex racket. Minor girls and victims are shown to be procured from neighbouring State and brought to Nandurbar and moreover allegations are proved that victim girls were forced in flesh trade. Therefore, considering the severity of the charges proved, and more particularly, no supporting documents about any health issues, relief as prayed cannot be granted.

7. The criminal application is hereby rejected.

(ABHAY S. WAGHWASE, J.)