

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 639 OF 2025**

Pallavi W/O. Kiran Thore
@ Pallavi Popat Moin

...Applicant

Versus

State of Maharashtra and Anr.

...Respondents

Mr. Tejas Hilage i/b Savita Kakade for the Applicant.

Ms. S. N. Deshmukh, APP for the Respondent-State.

Ms. Komal Sinha (Through V. C.) for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th OCTOBER, 2025.

P.C.

1. The applicant is apprehending arrest in crime no.48 of 2024 registered with Bhudargad Police Station, District-Kolhapur for the offences punishable under Sections 363, 366(a), 376, 376(2)(n), 392, 420 and 506 read with Section 34 of the Indian Penal Code, 1860.

2. It is the prosecution's case that the victim was around 17 years old at the time of incident. The victim was kidnapped by co-accused and present applicant to marry with accused no. 4-Manoj. It is alleged that the applicant's husband sexually assaulted the victim. When police came to house of the applicant, at that time, the applicant

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shown knife to the victim and threatened her not to tell anything to the police.

3. It is contention of learned counsel for the applicant that the present case is arising out of honey trap. The victim was with the applicant and her husband for 4 days. She traveled with them from Kolhapur to Aurangabad. But, she did not complaint to anyone. The allegations against the applicant are that she threatened the victim not to tell anything to the police. Except that no allegations against the applicant. He further submits that the supplementary statement of the victim recorded on 29th February, 2024 and in the said statement, she has stated that by threatening her the applicant has taken out from her Rs. 35,000/-, which is false. He further submits that Investigation is completed. Charge-sheet has been filed against co-accused. Applicant is a lady. There are no serious allegations against the applicant. Hence, custodial interrogation of the applicant is not required and requested to allow the application.

4. It is contention of learned APP along with respondent no. 2 that no grounds of honey trap is taken in the present application. The applicant and her husband had kidnapped the victim who was 17 years old. The husband of the applicant sexually assaulted the victim on several occasions and when the police came to the house of the

applicant, she threatened the victim not to tell anything to the police. The applicant has taken Rs. 35,000/-, mobile phone and sim card from the victim on the point of knife and the sim card thrown away. Considering the allegations against the applicant, her custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the FIR and documents produced on record.

6. In FIR, it is allegations against the applicant are that when the police came to the house of the applicant on 5th February 2024, she threatened the victim not to tell anything to the police. In supplementary statement of the victim dated 29th February, 2024, she has stated that on 28th January, 2024, the applicant had taken Rs. 35,000/- from her by showing the knife, but this fact is not mentioned in the FIR given to the police on 6th February, 2024. The victim was with applicant and co-accused for 4 days, but no complaint was lodged by the victim, who was 17 years old at the time of incident. The husband of the applicant against whom serious allegations are leveled has been arrested by the police and charge-sheet has been filed against him. Considering these facts, custodial interrogation of the applicant is not required and I pass following order :

ORDER

- I. Application is allowed.
 - II. In the even to arrest applicant be enlarged on bail in crime no.48 of 2024 registered with Bhudargad Police Station, District-Kolhapur, on executing P. R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
 - III. The applicant shall attend the Court dates regularly.
 - IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
9. As Ms. Komal Sinha is appointed through Legal Aid Committee to represent respondent no. 2, professional fees of Rs.10,000/- be paid to her.
10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)