

Nagesh Machindra Shinde ...Applicant
Versus
The State of Maharashtra And Anr. ...Respondents

• • • •

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 640 of 2023 registered at Dehuroad Police Station, District : Pune for the offences punishable under Sections 363, 365, 366(A), 370, 376(2)(n), r/w Section 34 of Indian Penal Code, Sections 4, 8, 17 of the Protection of Children from Sexual Offences Act, 2012, Sections 3, 4, 5 of the The Immoral Traffic (Prevention) Act, 1956.
3. The applicant is accused No.3 in the aforesaid crime. The victim and accused No.1 were in a love relationship.

Accused No.1 made the victim to elope with him. It is alleged that accused No.1 after marrying the victim forced her to indulge in prostitution activity. The applicant is one of the hotel owners, where the victim was kept for the purpose of prostitution.

4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent No.1-State and the learned counsel for Respondent No.2/Complainant.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the applicant is in jail for about 11 months and the trial is not likely to be concluded in near future as it is still at the stage of framing of charge. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned A.P.P. for the Respondent No.1-State and the learned counsel for the respondent No.2/Complainant submits that the photographs of the victim were found in the mobile phone of the present applicant. It is submitted that the involvement of the applicant in the alleged crime is apparent. It is submitted that

considering the nature of offence, the applicant may not be released on bail.

7. It is not the case of the prosecution that the present applicant had induced the victim to indulge in prostitution activity. The applicant is in jail for 11 months and there are no other criminal antecedents. Considering the said facts, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 640 of 2023 registered at Dehuroad Police Station, District : Pune for the offences punishable under Sections 363, 365, 366(A), 370, 376(2)(n), r/w Section 34 of Indian Penal Code, Sections 4, 8, 17 of the Protection of Children from Sexual Offences Act, 2012, Sections 3, 4, 5 of the The Immoral Traffic (Prevention) Act, 1956, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant till conclusion of trial shall not enter into the limits of Satara District and Pune District except to attend the dates before the trial Court.
- (iv) Application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)