

HARSHADA H. SAWANT  
(P.A.)

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

**BAIL APPLICATION NO.1540 OF 2025**

Poonam Jeetu Kedare

.. Applicant

**Versus**

The State of Maharashtra and Anr.

.. Respondents

.....

- Mr. Kishor G. Pashte, Advocate for Applicant.
- Mr. Hitendra J. Dedhia, APP for Respondent No.1.
- Mr. Himanshu P. Singh a/w. Mr. Bhujan More and Ms. Sandhya Nair, Advocates i/by Chetna Birje, Advocates for Respondent No.2.

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**CORAM : MILIND N. JADHAV, J.**

**DATE : APRIL 21, 2025**

**P.C.:**

**1.** Heard Mr. Pashte, learned Advocate for Applicant and Mr. . Dedhia, learned APP for Respondent No.1 and Mr. Singh, learned Advocate for Respondent No.2.

**2.** Applicant before me is woman having been indicted in offences punishable under Sections 366A, 370(1)(a), 370(3), 370(5) of the Indian Penal Code, 1860; Sections 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 and Sections 4, 16, 17 and 18 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO'). She is incarcerated in prison for past more than one year.

**3.** Case of prosecution is based on nine statements of the witnesses which are recorded and appended to Application. Some of the critical statements which indict Applicant's role are appended at

page Nos.52 and 55 of the Application.

**4.** Learned APP is directed to consider the same and take appropriate instructions and apprise the Court accordingly on the precise role of Applicant in the present crime.

**5.** In so far as luring Respondent No.2 – victim in the present crime is concerned case of Applicant is that she cannot be indicted for that offence considering the witness statement appended at page No.55 of the Application. It is submitted that Applicant cannot be held responsible for the alleged covert act of bringing the minor to the incident spot by the witness on her own volition through her friend.

**6.** That apart, Mr. Pashte would submit that Applicant is herself having three minor children to provide care and support and she is the sole bread-winner of the family. Her youngest daughter is three and half year old and is presently being cared for by her husband.

**7.** Mr. Singh enters appearance for Respondent No.2. Mr. Pashte, learned Advocate for Applicant is directed to serve copy of Application on Mr. Singh forthwith.

**8.** Mr. Dedhia, APP and Mr. Singh are directed to take appropriate instructions and accordingly place their submissions on the next adjourned date.

**9.** If any Affidavit-in-Reply is to be filed, same be filed within a period of two weeks from today.

**10.** Stand over to **05<sup>th</sup> May, 2025**. To be placed under the caption '**For Compliance**'.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

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HANUMANT  
SAWANT

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