

Laxmi Sontakke
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2084 OF 2024

Renu Jagdish Poojari .. Applicant
Versus
The State of Maharashtra .. Respondent

WITH
INTERIM APPLICATION NO. 1651 OF 2025
IN
BAIL APPLICATION NO. 2084 OF 2024

Renu Jagdish Poojari .. Applicant
Versus
The State of Maharashtra .. Respondent

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- Ms. Roshni Singh, Advocates for Applicant.
 - Mr. Balraj B. Kulkarni for the State.
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CORAM : MILIND N. JADHAV, J.
DATE : MAY 02, 2025

P.C.:

1. Heard Ms. Singh, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking Bail in connection with C.R. No. 321 of 2021 registered with Versova Police Station for the offence punishable under Section 370 (1)(2)(3) of the IPC read with Section 4 and 5 of PITA Act and 17 and 18 of POCSO Act.

3. The Applicant before me is indicted in the offence under

Section 370 (1)(2)(3) of the IPC read with Section 4 and 5 of PITA Act and 17 and 18 of POCSO Act. The Application is for grant of bail at the stage of issuance of notice. There are two victims. One of the minor victim is not traceable. Report to that effect is dated 1st May, 2025 placed on record by Mr. Kulkarni. The same is taken record. In that view of the matter, the Court shall have to take steps to appoint advocate through legal aid to represent and espouse the cause of the victim - prosecutrix in accordance with law.

4. In that view of the matter, Ms. Gayatri Pinkyar, learned Advocate and Counsel practicing in this Court (Mobile No.7715996359) is appointed to represent and espouse the cause of Respondent No.2 through the Legal Aid. The Legal Aid department is directed to give her appointment letter to that effect.

5. Registry is directed to provide copy of the Application to appointed the Advocate within a period of one week from today.

6. The appointed Advocate on behalf of Respondent No.2 is directed to peruse the papers and be ready to address the Court on the next adjourned date. After hearing, present Application shall be decided by this Court.

7. The learned Advocate for Applicant has drawn my attention to the Interim Application No.1651 of 2025 filed by Applicant. She would submit that husband of the Applicant expired on 22nd April

2025. Necessary details and information with respect to his demise is appended to the application. She would submit that Applicant is desirous to attend the 13th day ritual ceremony and she is also having a 19 year old son who is presently studying for whom she will have to provide care and support and make arrangements.

8. The learned Advocate persuades the Court to consider release of Applicant on temporary bail for a period of three weeks to enable her to overcome the aforesaid situation and thereafter hear the application for bail.

9. I have perused the application and heard the learned Advocate appearing for the Applicant. The request made by the Applicant *prima facie* with respect to grant of temporary bail, in the above circumstances in my opinion deserves to be allowed. Hence the Applicant is directed to be released on bail forthwith without requiring her to deposit any amount towards any charges. She shall be released from prison on the copy of the present order uploaded on the server being placed before the concerned jail authorities namely Byculla Women's Prison. Applicant is released on temporary bail for a period of three weeks from today.

10. At the request of learned Prosecutor Mr. Kulkarni appearing in the matter, Applicant will have to furnish an undertaking giving details of her place/residence where she will stay for three weeks

during her release on temporary bail along with the details of her son and his mobile phone number and all such other details that would be required for the prosecution to contact her in an exigency or emergency. That apart she is also directed to visit and give her attendance to the local police station where the Applicant shall be residing for the period of release on temporary bail twice a week until she surrenders back as directed by this order. The details of the local police station shall also be stated in the undertaking. The concerned Trial Court shall immediately accept the undertaking. The Undertaking is directed to be filed by the learned Advocate on behalf of the Applicant.

11. In view of the aforesaid *prima facie* observations, Applicant is entitled to be released on temporary bail on the following terms and conditions:-

- (i) The concerned prison in-charge of the concerned prison where Applicant is in custody shall take cognizance of the server copy of this order and release the Applicant immediately on interim bail;
- (ii) Learned APP shall convey this order to the concerned prison in-charge for compliance;
- (iii) Applicant shall deposit her passport, if any, with the Investigating Officer;

- (v) Applicant shall not influence any of the witnesses or tamper with evidence in any manner;
- (vi) Applicant shall keep the Investigating Officer informed of her current address and mobile contact number and /or change of her residence or mobile details, if any, from time to time during the above period;
- (vii) Applicant shall surrender back to the prison Authority i.e. the Byculla Women's Prison at 06:00 p.m. on 25.05.2025;
- (viii) Any infraction of the above conditions shall entail revocation of this order.

- 12.** Interim Bail Application is allowed in the aforesaid terms.
- 13.** List the Bail Application for compliance on **26th May 2025**.

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed
by HARSHADA
HANUMANT
SAWANT
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