



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 517 OF 2025

Sonali Shivkumar Kesarwani Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R.P. Joshi, counsel for applicant.

Mrs. Sneha S. Dhote, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 31/07/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.313/2025 registered with Police Station Khapa, District Nagpur for the offence punishable under Sections 3, 4, 5 and 7 of Immoral Traffic (Prevention) Act, 1956 and under Section 143 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicant, who submitted that as per the allegation levelled against the present applicant that, during the police raid, ladies who had already attained the age of majority were found, and the investigating agency alleged that they were engaged in prostitution work. Therefore, the applicant is apprehending her arrest at the hands of police.

3. Learned counsel for the applicant further submitted that the statement of the present applicant and various ladies, as observed by the Judicial Magistrate First Class in its order that, the present applicant and other ladies were there to attend the event, and therefore her presence was there. Thus, he submitted that the involvement of the present applicant is nowhere reveals in the immoral trafficking or the prostitution work, therefore, the custodial interrogation of the present applicant is not required.

4. Learned APP strongly opposed the same and submitted that considering the fact that the various girls and women were found at the spot therefore, custodial interrogation of the present applicant is required.

5. On hearing both sides and on perusal of the statement of the victim girl and the order passed by the Judicial Magistrate First Class, it shows that the applicant was present at the spot of incidence for attending the event. At this stage, there is nothing on record to show that she was involved in the prostitution activities. In view of that, ad-interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

ORDER

a] Criminal application is **allowed**.

- b] The ad-interim protection granted to the present applicant by order dated 14/07/2025 is hereby confirmed.
- c] The applicant shall attend the concerned Police Station as and when required for the instigation purpose and shall cooperate with the instigating agency on receipt of the notice in advance of seven days.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]