



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.572 OF 2025

(Mr. Rakesh s/o Amarlal Rawal 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. V.V. Bharadwaj, Advocate for the applicant.
Mr. C.A. Lokhande, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 13, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.511/2025 registered with Police Station Gadge Nagar, Amravati, District Amravati for the offence punishable under Sections 3, 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, 1956, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of secret information received by the investigating agency that the business of the prostitution is carried on at Spa 99 (Massage Parlor) situated at Next Level Mall, Amravati. After completing the formalities, the Investigating Officer has conducted a raid on the said massage parlor. During that raid, three girls were found along with the customers there. The girls were from north eastern part of the country. On enquiring with them they have disclosed that they were brought by the present applicant for the work of prostitution. On the basis of the said report, police have

registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the arraignment of the present applicant in the alleged crime is on the basis of the statement of the co-accused. The leave and license agreement executed between the original owner and the other co-accused shows that it was the other co-accused who was running the said business at the said place. As far as the present applicant is concerned he is a reputed businessman and not concerned with the alleged offence. His custodial interrogation is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that during investigation it revealed that the present applicant is the owner of the said Spa and the girls are also brought by him. On conducting the raid not only the amount was seized, but the girls were also found and during enquiry with them they have disclosed the name of the present applicant as he has brought them at the said place for the prostitution work. On the basis of the said investigation, the applicant was arraigned as an accused. He further submitted that, despite the notices are issued under Section 35(2) of the Bharatiya Nyaya Sanhita and despite the service he has not cooperated with the investigating agency. In view of that, his custodial interrogation is required, and therefore, the application deserves to be rejected.

5. On hearing learned Counsel for both the sides and on perusal of the investigation papers it reveals that the criminal law was set in motion by registering an offence on the basis of a secret information received by the investigating agency. During the raid it was found that the persons working in the said massage parlour are indulged in illegal and immoral activities. The other co-accused are already arrested and released on bail. The girls were also interrogated and from the interrogation with the girls it reveals that it was the present applicant who brought them there and they were brought only for the purpose of the prostitution. Thus, as far as the involvement of the present applicant is concerned which reveals from the investigation papers. Admittedly, not to traffic is the fundamental right of that girls which appears to be violated by the present applicant. While considering the anticipatory bail application, considerations are to be looked into. Considering the gravity of the offence that the present applicant is involved in the offence of trafficking of the woman for the purpose of the prostitution, and therefore, his custodial interrogation is required. In view of that, the application deserves to be rejected.

6. Hence, the application is rejected accordingly.

(URMILA JOSHI-PHALKE, J.)