

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 114 OF 2022

SNEHA
NITIN
CHAVAN

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V/s.

The State of Maharashtra

.. Applicant

..Respondent

Mr. Viresh Purvant a/w Rishikesh Kale for the Applicant.

Mr. R.M. Pethe, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 25 JANUARY 2022
(Through Video Conferencing)

P.C.

1. By this application, the Applicant apprehending arrest in connection with the investigation of Crime No. 491 of 2021 of Police Station Faujdar Chavdi, District Solapur under Section 370 of IPC and Section 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956, is seeking anticipatory bail.

2. I have heard the learned counsel for the parties.

3. The Applicant is the owner of Asmit Lodge situated within the limits of the Municipal Corporation of Solapur. The

Applicant was externed in connection with the offence under the Maharashtra Prevention of Gambling Act, 1887. As the Applicant was not in a position to run the lodge, the same was given to Mr. Ashok Katkar for its operation.

4. According to the prosecution, there was concerted efforts of illegal trafficking and prostitution under the Immoral Traffic (Prevention) Act being conducted in the said lodge. A decoy customer was sent and a lady aged about 28 years was found alongwith decoy customer in one of the rooms of the lodge.

5. Upon hearing the learned counsel for the parties, prima facie, it appears that although the Applicant has some criminal antecedent in respect of the offence under the Prevention of Gambling Act, there is an agreement dated 12.08.2020 under which the said lodge is rented out to Mr. Ashok Katkar. At the time of the raid, the Applicant was not present at the lodge as according to the Applicant he is unable to enter the District on account of his externment. It is in this context it is submitted on behalf of the Applicant that the Applicant has no control over the activities in the said lodge and had no role to play in the said offence. In this case, the investigation is complete and the chargesheet is filed and therefore, further interrogation of the Applicant may not be necessary.

6. Hence, the following order is passed:

ORDER

i) In the event of his arrest, in connection with the investigation of Crime No. 491 of 2021 registered with Faujdar Chavadi, Dist. Solapur, the applicant shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution evidence/witnesses.

iii) The Applicant shall not indulge himself and/or facilitate directly or indirectly commission of any illegal activities in the said lodge.

iv) Criminal application is disposed of accordingly.

(C.V. BHADANG, J.)