

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

ANTICIPATORY BAIL APPLICATION NO. 1632 OF 2023

1. Mr. Gautam Vilas Parkar	
2. Mr. Ibrahim Abdul Rauf Shaikh	
3. Hannah Newmai Nemzeu	... Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Niranjan Mundargi a/w. Ms. Keral Mehta i/b.
 Mr. Kunal Ambulkar for the Applicants.
 Mr. S.H. Yadav, APP for the State.
 Mr. Sachin Shinde, PI, MHB Colony Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 07th JULY, 2023.

P. C. :-

1. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicants apprehending their arrest in C.R.No.222/2023 registered with M.H.B. Colony Police Station, Mumbai for offences punishable under sections 370(3) r/w. 34 of the Indian Penal Code and sections 3, 4 and 5 of The Immoral Traffic (Prevention) Act, 1956.

2. The facts narrated in the FIR prima facie reveal that the Applicant Nos.1 and 2 are the owners of 'Zen Luxury Spa' and the Applicant No.3 was working in the said Spa as a Manager. It is alleged that prostitution was being carried out in the said Spa under the garb of running a massage parlour.

3. By order dated 09/06/2023, this Court had granted interim bail to the Applicants particularly considering the statement of made by the learned counsel for the Applicants that the Applicants had received phone call from one Ibrahim Shaikh, a self proclaimed Reporter demanding money and further threatening to get the premises raided. It was further stated that said Mohd. Sayyed Shaikh was present at the time of raid and the conversation as well as all that transpired in the raid has been recorded in the DVR.

4. The pen drive was handed over to the Investigating Officer and the same was seized under panchanama. The transcript, prima facie, substantiates case of the Applicant. It is also pertinent to note that the Applicant was granted interim bail. He has reported to the Investigating Officer and has been interrogated. Under the circumstances, no case is made out for custodial interrogation. Hence, the interim bail granted vide order dated 09/06/2023, stands confirmed. The Applicants shall report to the Investigating Officer as and when called for the purpose of interrogation. The Applicants shall hand over DVR to the Investigating Officer within a period of one week.

5. Application stands disposed of.

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(SMT. ANUJA PRABHUDESSAI, J.)