

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

ANTICIPATORY BAIL APPLICATION NO. 519 OF 2024

Jayesh Jagdish Soni

..Applicant

Versus

The State of Maharashtra

..Respondents

Mr. Abhinav Chandrachud a/w. Faran Khan a/w. Mittal Munoth for Applicant.

Mr. Avinash A. Naik, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 26 FEBRUARY 2024

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 72 of 2024 registered at V. P. Road Police Station, Mumbai, under Sections 419 and 420 of the Indian Penal Code, under Sections 66(D) of the Information Technology Act and under sections 4, 5 and 12 of The Maharashtra Prevention of Gambling Act.

2. Learned counsel for the applicant made two major submissions. First is that all the offences are bailable and second submission is that, the investigating officer in this case was not

empowered to investigate the offence under the Maharashtra Prevention of Gambling Act.

3. Considering that these issues are raised in many cases; these legal issues are quite important. Therefore, the learned Advocate General is requested to appear in this case and to assist the Court.

4. Learned APP present before the court, on the instructions of the investigating officer, submits that the matter be placed on 12.03.2024 and till then the applicant shall not be arrested in connection with the present subject matter. The statement is recorded and accepted.

5. Stand over to 12.03.2024.

(SARANG V. KOTWAL, J.)