

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2802 OF 2024**

Sahil Raju Waghmare @ Sonya

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Salman Pathan (through VC) for the Applicant.

Ms. Supriya Kak, APP for the State.

CORAM : ADVAIT M. SETHNA, J.

DATE : 6 OCTOBER 2025

PC.:-

1. Heard learned counsel for the parties.
2. Mr. Pathan, learned counsel for the Applicant appears through video conferencing. The Applicant is protected by an order dated 22 October 2024 passed by this Court. The Court in paragraphs 5 and 6 has specifically observed as follows:-

“5. At this stage, the learned APP submits that there are number of criminal antecedents of the applicant and now even provisions of the Maharashtra Control of Organized Crime Act, 1999, have also been invoked in the present case. In that light, he seeks time to file an affidavit alongwith relevant documents.

6. Considering the limited role attributed to the applicant in the statement of the informant, leading to registration of the FIR, coupled with the say filed on behalf of the informant before the Sessions court, this Court is inclined to grant interim relief in favour of the applicant.”

3. In light of such observations, the Court was pleased to grant interim protection to the Applicant vide said order. Such protection continues till date.

4. Ms. Kak, learned APP would not dispute such position at this juncture. Ms. Kak has raised a preliminary objection by submitting that as there are allegations under the provisions of the Maharashtra Control of Organised Crime Act, 1999 (“**MCOC Act**”), Anticipatory Bail Application is not maintainable. Mr. Pathan, however, would refute this submission by pointing out the order dated 22 October 2024 where, according to him, this submission has also been duly considered.

5. In light of the above, let this application be listed for further consideration on **15 October 2025**, where the parties are at liberty to first address the Court on maintainability of this Application, considering that provisions of MCOC Act have been invoked against the Applicant.

6. Interim protection granted in favour of the Applicant by order dated 22 October 2024 shall continue until the adjourned date of hearing.

[ADVAIT M. SETHNA, J.]