



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.366/2025

RAUNAK W/O JAGDISH LALWANI

...APPLICANT

VS

STATE OF MAHARASHTRA AND ANR.

...RESPONDENTS

...

Adv. Ashok M. Saraogi a/w Gopal Jetly for the Applicant.

Adv. Rutuja A. Ambekar, APP for the Respondent State.

Adv. Amar A. Gharte for Respondent No. 2.

Adv. Sagar Divekar a/w Abhimanyu Mhapankar for E & Y.

PC M. L. Avaghade, Khed Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : APRIL 2, 2025

P.C.:

1. Mr. Divekar, learned counsel for the E & Y submits that the company's data and its client's data installed in the laptop which was handed over by the applicant Raunak Lalwani to the investigating officer needs to be secured. He submits that the company has nothing to do with the personal life of its employee. Hence, a responsible officer of the company wants to remain present in the office of the investigating officer in order to secure the company's data and any other information relating to the company. The company is ready to co-operate with the investigating officer and also with Forensic Audit Officer.

2. Mr. Gharte, learned counsel for the first informant submits

that they only want to check whether the applicant has handed over the laptop and mobile phone which according to the first informant had objectionable personal video of the first informant along with applicant.

3. Mr. Saraogi, learned counsel for the applicant submits that the applicant has co-operated with the investigating officer and has handed over mobile phone and the laptop. The only issue for the applicant is that the laptop belongs to the company (E & Y) and the same has been handed over to the investigating officer as per the directions given by this Court and the Sessions Court. He submits that he has an apprehension that the company/employer might take some action against him for handing over the laptop to the investigating officer.

4. According to me, suffice would be the purpose as of now if the following directions are passed in view of the laptop and mobile phone being handed over by the applicant to the investigating officer.

(a) A responsible officer from E & Y is allowed to meet the investigating officer tomorrow i.e. 3 April 2025 between 11.00 am to 1.00 pm in order to check whether any company's data and their client's data, has not been shared/tampered with. A responsible officer from E & Y also allowed to meet the forensic auditor with police in order to help them to retrieve any information other than the company's data and client's data.

(b) The first informant is also permitted to meet the investigating officer on 4 April 2025 between 11.00 am to 1.00 pm in order to only check whether the mobile phone and the laptop handed over by the applicant are the same devices which according to her was used allegedly by the applicant to record objectionable videos and photos.

5. In view of the directions given by this Court, the orders passed by the Sessions Court dated 20 March 2025 in Misc. Application No.80/2025 and Misc. Application No.145/2025 are hereby quashed and set aside and the order dated 16 November, 2024 passed in Anticipatory Bail Application No.2309/2024 by the Sessions Court, Mumbai is hereby restored back.

6. **Criminal Application stands disposed off.**

(RAJESH S. PATIL, J.)