

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

Anticipatory Bail Application No.2137 of 2025

Ketan Babanrao Chavhan

Age: 46 years, Occ: Agriculturist,

R/at: Kadhade, Tal: Khed, Dist: Pune

... Applicant

versus

The State of Maharashtra

(At the instance of the Senior P.I. -

Wakad Police Station, Pune.

Vide C.R.No.148/2025)

... Respondent

Mr Aniket Nikam, a/w. Ms Shreya Anuwal, i/b. Mr Sumit Patil,
for the applicant.

Mr Anand Shalgaonkar, APP, for the respondent/ State.

PSI YR Bansode, Wakad Police Station, Pune, is present.

Coram: R.N. Laddha, J.

Date: 31 July 2025.

P.C.:

Heard Mr Aniket Nikam, the learned Counsel appearing on behalf of the applicant, and Mr Anand Shalgaonkar, the learned Additional Public Prosecutor representing the respondent/ State.

2. The applicant, who apprehends arrest in CR No.148 of 2025, registered at Wakad Police Station, Pune, for offences

punishable under Sections 3, 4, and 5 of the Immoral Traffic (Prevention) Act, 1956, and Sections 143(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, has preferred the present application seeking pre-arrest bail.

3. It is the case of the prosecution that, upon receiving the secret information about women being coerced into the sex trade for financial gain, a raid was conducted at 'Wellness Spa' in Haveli, and the victims were found engaged in prostitution along with customers. The applicant is the business partner of the co-accused, Dilip, who is the owner and manager of the Spa.

4. The learned Counsel appearing on behalf of the applicant asserts the applicant's innocence and submits that the applicant has been falsely implicated in the crime. It is contended that the applicant is not named in the First Information Report (FIR) and was not present during the time of the raid. Aside from the allegation that the applicant is a partner in the spa, there exists no substantial material to support the prosecution's claim that the applicant was aware of or involved in the commission of the alleged crime. The allegations against the applicant are vague and lack merit. All accusations are directed towards the co-accused, and the applicant has been unjustly positioned as a

scapegoat. Furthermore, the learned counsel submits that the applicant has no criminal antecedents, and there is nothing to be recovered or discovered from him. The applicant is willing to comply with any conditions imposed by this Court, including the surrender of his mobile phone.

5. The learned Additional Public Prosecutor representing the respondent/ State, opposing the plea for pre-arrest bail, contends that the offence is of a serious nature. The victims were found at the spa while engaging in prostitution. The applicant is the partner of the co-accused, who is involved in the crime, and has received money from the co-accused. The learned APP, on instructions, submits that the investigation is nearing completion, and the prosecution is in the process of filing the charge sheet. However, if granted pre-arrest bail, the applicant may tamper with the evidence or exert influence over witnesses.

6. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the record. It appears that the applicant has not been named in the FIR. It is undisputed that the applicant was not present at the scene during the raid. All the victims involved are adults. There are no allegations of sexual assault against the applicant. The

material on record does not *prima facie* suggest that the applicant was aware of the alleged illegal activities taking place on the premises. The investigation is almost complete, and a charge sheet will be filed shortly. The applicant is ready to abide by any conditions set forth by this Court, including surrendering his mobile phone. The prosecution's apprehensions about potential evidence tampering and witness influence can be mitigated by imposing appropriate conditions. In the circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in CR No.148 of 2025, registered at Wakad Police Station, Pune, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.
- (iii) The applicant shall attend the concerned police Station on 5, 6 and 7 August 2025, surrender his mobile

phone and cooperate with the
investigation.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)