

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO.2740 OF 2025

|                                 |               |
|---------------------------------|---------------|
| Mohammad Akhtar Shamim Sonawala | ...Applicant  |
| <i>Versus</i>                   |               |
| State of Maharashtra            | ...Respondent |

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Mr. Pritesh Bohade, Advocate for Applicant.  
Mr. Ashok Metkari, APP for the State.

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CORAM:   MADHAV J. JAMDAR, J.  
DATED :   3<sup>rd</sup> October 2025

**P.C.:**

1.    Heard Mr. Bohade, learned Counsel appearing for the Applicant and Mr. Metkari, learned APP for the State.
  
2.    The Applicant is seeking pre-arrest bail in connection with C.R. No.333 of 2024, registered with Nandgaon Police Station, Nashik Rural, for the offences punishable under Sections 111 and 143 of Bharatiya Nyaya Sanhita, 2023 (“**B.N.S.**”) and under Sections 3, 4 ,5 and 6 of the Prevention of Immoral Trafficking Act, 1956.
  
3.    The prosecution case is as under :-

“On 12.08.2024 PI Chaudhari got secret information that Akhtar Sonawala (the applicant) was compelling some girls to do prostitution at Hotel Vrundavan Park, village-Wakhari, Nandgaon. Therefore, ASI More, the informant and some other police persons arranged the trap. Accordingly, police asked one dummy customer to go into the said Hotel and asked for woman for sex. Accordingly, the dummy customer entered into the said Hotel and contacted one person (accused No.2 Sachin). Thereafter, the dummy customer made negotiation with the said person and handed over him Rs.2,000/-. Sometime thereafter accused Sachin sent the dummy customer in Room No.2 of the said Hotel, where one lady was there. Then, the dummy customer gave signal to police raiding party. The police effected raid and caught accused Sachin on the spot. At the time one person ran away. One lady i.e. victim was found doing prostitution. On further inquiry, it was found that she was forcibly put in prostitution by Hotel owner, Mohammad Akhtar Shamim Sonawala, (the applicant) for earning money and he was living on the said earnings. On enquiry it was revealed that the said person i.e. owner of the hotel is the person who had ran away i.e. the Applicant. ASI Pravin More

lodged FIR about the incident and crime vide C.R. No.1-333/2024 came to be registered. Accused No.2 Sachin was arrested on the spot.”

4. It is the main submission of Mr. Bohade, learned Counsel for the Applicant that although the hotel premises where the illegal activities were going on is belonging to the Applicant, the same has been given on rental basis, by Rental Agreement dated 20<sup>th</sup> September 2023 to Accused No.2- Sachin Bhaurao Ingale and he has been arrested when the Police carried out the raid. It is the submission that the Applicant is not concerned with the incident in question.

5. Although it is the contention that there is Tenancy Agreement executed in favour of Accused No.2- Sachin Ingale, however, the material on record shows that the Applicant is the owner of the hotel and the Applicant is personally involved in the offence. It is required to be noted that the Applicant, who is the main Accused was present in the said hotel premises when illegal activities were going on and he ran away in the presence of the Police from the hotel when the raid took place. The victim girl has

specifically said that she was forced to do prostitution by the Applicant.

6. There is one antecedent of similar nature against the Applicant being C.R. No.316 of 2023.

7. *Prima facie*, it appears that as the Applicant is the main Accused and owner of the said hotel and is an influential person, police personnel who are the members of the raiding party allowed the Applicant to run away.

8. The Deputy Superintendent of Police, Nashik shall conduct thorough enquiry into the conduct of the Police Personnel, who raided the said hotel.

9. Accordingly, no case is made out for grant of anticipatory bail to the Applicant. The Anticipatory Bail Application is rejected.

(MADHAV J. JAMDAR, J.)

BHALCHANDRA  
GOPAL  
DUSANE

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