

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

Cri. Anticipatory Bail Application No.870 of 2026

Raghu Mahabal Mogaveera
Aged 43 years, Occu : Business,
Residing at Room No.202,
2nd Floor, Yogeshvar Sadan
Bank Side, Sector 11, Juhunagar,
Vashi, Navi Mumbai – 400 703.

... Applicant

Versus

The State of Maharashtra
(At the instance of APMC Police
Station vide their C.R. No.677 of 2025)

... Respondent

Mr Prabhanjay Dave a/w Mr Tanmay Tendulkar, for the
Applicant.

Ms Anagha A Deshmukh, APP, for the Respondent / State.
API Navnath Sul, APMC Police Station, Navi Mumbai.

Coram: R.N. Laddha, J.

Date: 6 April 2026

P.C.:

Heard Mr Prabhanjay Dave, the learned Counsel
appearing on behalf of the applicant, and Ms Anagha
Deshmukh, the learned Additional Public Prosecutor
representing the respondent/ State.

2. The applicant apprehends arrest in CR No.677 of 2025, registered with AMPC Police Station, Navi Mumbai, for the offences punishable under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 ('PITA Act'), and Sections 143(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

3. It is the case of the prosecution that, acting upon credible secret information to the effect that certain women were allegedly being compelled to engage in prostitution for pecuniary gain, a raid was conducted at the establishment known as 'Shrinidhi Hotel and Lodge' situated at Vashi, Navi Mumbai. During the course of the said raid, two women were found allegedly engaged in acts of prostitution. It is further alleged that the present applicant is the person in charge of and is running the said lodge.

4. The learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the present crime. It is submitted that the applicant had taken the lodge on a leave-and-license basis from its lawful owner and was not present at the time of the raid. The implication of the applicant rests solely upon the statement of the co-accused, and the applicant had no knowledge of the alleged unlawful activities. The learned Counsel further submits that, as per the statement of the

victims, they had voluntarily engaged in prostitution for monetary consideration. The victims are of legal age. In the statement of the victims they never made any allegations against the applicant. According to the learned Counsel, the provisions of Section 143(3) of the BNS and Section 5 of the PITA Act are not applicable, and the remaining provisions invoked are of a bailable nature. It is urged that the statements of the victims have been recorded, and the victims have been released. No recovery or discovery remains to be effected at the instance of the applicant. The investigation stands concluded and a charge sheet has been duly filed; thus, the applicant's custodial interrogation is unnecessary. The applicant undertakes to comply with any conditions that may be imposed by this Court.

5. On the other hand, Ms Anagha Deshmukh, the learned Additional Public Prosecutor representing the respondent/State, opposes the applicant's request for bail. It is submitted that the offence is of a grave and serious nature. The victims were found at the scene while committing illegal activity on the premises run by the applicant. The learned APP also raised concerns about potential evidence tampering and witness influence if the applicant were granted pre-arrest bail. However, she fairly acknowledges that the investigation has concluded and a charge sheet has been filed.

6. This Court has given anxious consideration to the rival contentions and perused the records.

7. Upon a careful perusal of record, it appears that during the course of the raid, two alleged victims were rescued from the premises in question. A bare reading of their statements recorded under Section 183 of the BNSS unequivocally indicates that both victims are major in age and had voluntarily engaged in the alleged activities of their own accord, purportedly for pecuniary benefit. Neither of the said witnesses has attributed any overt act or role to the present applicant, nor have they, in any manner, implicated the applicant in the alleged offence. It is further emerges from the material placed on record that the applicant was not present at the scene at the time when the raid was conducted. The investigation has already been completed and has culminated in the filing of the charge sheet before the competent Court. Thus, no custodial interrogation of the applicant appears to be warranted, and there remains no material to be recovered or discovered at the instance of the applicant. Moreover, it is not in dispute that the co-accused persons have already been enlarged on bail by the competent Court. The apprehensions expressed by the prosecution with regard to the possibility of tampering with evidence or influencing witnesses can be adequately

safeguarded by imposing appropriate conditions. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.677 of 2025, registered with AMPC Police Station, Navi Mumbai, 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 not contact the victims in any manner whatsoever.

8. The application stands disposed of accordingly.

[R.N. Laddha, J.]