

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 999 OF 2026**

Ganesh Suresh Gaikar ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Vaibhav Puneekar a/w Naseema Shaikh, for the Applicant.

Mrs. Rajeshree Newton, APP for the Respondent – State.

API Nilesh R. Pen Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 5th May, 2026.

P.C. :

1. Heard Mr. Vaibhab Puneekar, learned Advocate for the Applicant and Mrs. Rajeshree Newton, learned APP for the Respondent – State.

2. By the present Application filed under Section 482 of the BNSS, 2023, the Applicant seeks per-arrest bail, apprehending arrest in Crime No. I-0047 of 2026 registered with Pen Police Station, Raigad District, for offences punishable under Sections 3, 4 and 5 of The Suppression of Immoral Traffic in Woman And Girls, Act 1956, as revised to The Immoral Traffic (Prevention)

Act, 1956, and Section 143(3) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Vaibhav Punekar, learned Advocate for the Applicant, states that the Applicant in the present crime is the owner of the premises where the raid was conducted and immoral activities were carried out. He submits that the Applicant had no knowledge of the activities being carried out at the said premises. He refers to paragraph No. 12(f), wherein the Applicant made a categorical statement on oath to that effect. He does not dispute that the said premises were given on a Leave and License basis to Sunil Kumar Mehta and Osad Ali Khan, who are accused in the said crime. He submits that Accused Nos. 1, 2 and 3(i.e., the persons apprehended at the time of the raid from the premises), have been released on bail by the 1 Sessions Court vide order dated 13.04.2026. He submits that the Applicant is ready and willing to co-operate with the Investigation Officer.

4. Mrs. Rajeshree Newton, learned APP for the Respondent – State, on instructions from the Investigation Officer present in Court, states that the Applicant is the owner of the raided

premises. She submits that the Leave and License Agreement executed by the Applicant with Sunil Kumar Mehta and Osad Ali Khan is required to be recovered from the Accused in the present Crime. On instructions from the Investigation Officer present in Court, she states that, in the event the Applicant tenders the original Leave and License Agreement and co-operates with the investigation, the custodial interrogation of the Applicant is not required.

5. Mr. Vaibhav Punekar, learned Advocate for the Applicant, on instructions from the Applicant, states that the original Leave and License Agreement executed between the Applicant as Licensor and Sunil Kumar Mehta and Osad Ali Khan as Licensee, which is for a term of 36 months, shall be handed over to the Investigation Officer within 7 days from today i.e. on or before 12.05.2026.

6. Considering the stand taken by the Respondent in this Application and the statement made by Mr. Vaibhav Punekar, learned Advocate for the Applicant, as recorded in para 5 of this order, this Application is allowed on the following terms :-

- (a) In the event of arrest of the Applicant in the C. R. No. I-0047 OF 2026 dated 24.03.2026 registered with Pen Police Station, Raigad District, the Applicant shall be released on bail on furnishing a PR bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) with two local sureties in the like amount.
- b) The Applicant shall hand over the original Leave and License Agreement dated 10.10.2025, executed between the Applicant as Licenser and Sunil Kumar Mehta and Osad Ali Khan as Licensee, to the Investigation Officer Pen Police Station, Raigad District on or before 12.05.2026.
- c) The Applicant shall report to the Investigation Officer, Pen Police Station, Raigad District, on 12.05.2026, 14.05.2026 and 19.05.2026 from 10:00 am to 12:00 pm and as and when required by the Investigating Officer, Pen Police Station, Raigad District.
- d) Applicant shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with the facts of the case to dissuade

such person/s from disclosing the facts to the Court or any police officer.

- e) Applicant shall not tamper with evidence in any manner.
- f) Applicant shall provide the Investigation Officer with his residential address along with proof, his contact number, email and must inform the Investigating Officer of any changes to this information from time to time.
- g) Applicant shall cooperate with the Investigating Officer in the process of investigation of the present Crime.
- h) The Applicant shall hand over his passport, if any, to the Investigation Officer, Pen Police Station, Raigad District on 12.05.2026.

Anticipatory Bail Application No. 999 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

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RODGE
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