

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

CRIMINAL ANTICIPATORY BAIL APPLICATION (ST.) NO.1346 OF 2021

1. Himanshu Kishan Mehra
2. Ali Abbas Zafar
3. Gaurav Solanki ... Applicants

Versus

The State of Maharashtra ... Respondent

.....

Mr. Abad Ponda Sr. Advocate a/w Mr. Aniket Nikam & Mr. Sameer Chaudhary & Ms. Gitika Aggarwal & Ms. Sneha Trehan i/b. Ms. Vrushali Maindad, Advocate for the Applicant in Anticipatory Bail Application No. 1346 of 2021.

Mr. A. R. Kapadnis, APP for the Respondent – State in Anticipatory Bail Application No. 1346 of 2021.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 20th JANUARY, 2021.

PER COURT:

1. The applicants are seeking transit anticipatory bail in connection with FIR No.0031 of 2021 dated 17th January, 2021 lodged at Hajaratganj Police Station, Lucknow, Uttar Pradesh for offences under Sections 153(A), 295, 505(1)(b), 505(2), 469 of Indian Penal Code and Sections 66, 66(F) & 67 of Information Technology Act, 2000. The First Information Report has been registered on 17th January, 2021.

2. Learned counsel for the applicants submit that, applicants are residents of Mumbai. The applicant No.1 is the

producer of subject web series in respect to which FIR has been lodged. The applicant No.2 is director of the web series and the applicant No.3 is the writer. It is submitted that on account of pandemic situation and apprehension of immediate arrest sufficient time may be granted to the applicant to approach the competent Court for seeking appropriate relief. He further submitted that, producers of the web series are in the process of deleting the objected portion to avoid further controversy. It is submitted that at least four weeks time may be granted to the applicants to approach the competent Court for seeking appropriate relief.

3. Learned APP submitted that the FIR has been registered at Hajaratganj Police Station, Lucknow which is apparent from the copy of the FIR. Except FIR there is no material before this Court. There is no apprehension of arrest.

4. Learned counsel for the applicants submitted that the documents annexed to this application would indicate that, concerned officers have landed in Mumbai today and that there is every likelihood of applicants being arrested at any point of time. Learned counsel for the applicants relied upon several decisions passed by this Court wherein transit anticipatory bail has been granted by this Court.

5. Since the proceedings are pending in Lucknow without adjudicating on merits, to enable the applicants to approach the competent Court for seeking appropriate relief, the applicants can be granted relief as prayed for stipulated period.

ORDER

(i) In the event of arrest of the applicants in connection with FIR No.0031 of 2021 registered with Hajaratganj Police Station, Lucknow, Uttar Pradesh, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;

(ii) This protection is granted for a period of three weeks to enable the applicants to approach the competent Court for seeking appropriate relief.

(iii) Application stands disposed of accordingly.

(iv) All concerned will act on authenticated copy of this Court.

6. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)