



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1234 OF 2025

1. Amit S/o. Balasaheb Jagadale
2. Kalyan S/o. Laxman Taware ... Applicants

Versus

1. The State of Maharashtra,
Through Police Inspector,
Sangamner City Police Station, Sangamner,
Tq. Sangamner, Dist. Ahmednagar.
2. The Superintendent of Police
3. X.Y.Z. (Victim) ... Respondents.

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Mr. K. N. Shermale, Advocate for Applicants.

Mr. M. L. Sangit, APP for Respondents - State.

Mr. Y. S. Chaudhari, Advocate for Respondent No.3.

Ms. Nupur Paliwal, Advocate for Respondent No.3 (Appointed).

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 18 AUGUST 2025

PRONOUNCED ON : 20 AUGUST 2025

ORDER :

1. Learned counsel Ms. Nupur Paliwal, who was appointed for respondent no.3, seeks discharge as another counsel has been engaged. Appearance of learned counsel Ms. Nupur Paliwal stands discharged.

2. Both applicants are urging for grant of anticipatory bail

on account of registration of Crime No.0320 of 2025 registered with Sangamner City Police Station, District Ahilyanagar for the offences punishable under sections 64(1), 127(4), 142, 189(1), 189(2), 191(2), 190, 115(2), 352, 351(2) read with section 3(5) of the Bharatiya Nyaya Sanhita.

3. Alleging false implication, learned counsel for applicants took this court through the copy of FIR dated 15.04.2025 at Exh.A and pointing to the dates reflected therein, would submit that, complainant, who is already major and has attained 19 years of age, has allegedly performed love and registered marriage with one Akshay Dighe. Primarily, allegations are against the said Akshay. As regards to present applicants are concerned, learned counsel pointed out that, they are falsely implicated only because they are friends of the said Akshay and there are allegations that they both helped Akshay in obtaining room for complainant and said Akshay, who had performed runaway marriage. Subsequently, as relations between said Akshay and complainant become strained, delayed FIR has been lodged levelling false allegations. Learned counsel submits that even going by the entire FIR, it is clear that, only role attributed to present applicants are that they acquainted with Akshay, they took victim to Madhya Pradesh and arranged room for complainant and said Akshay. Except such allegations, there are no other allegations.

Complaint is primarily false and afterthought. That, considering the nature of allegations, no further recovery or discovery is to be made. That, other co-accused, namely, Ravindra Dighe, Lata Dighe, Kiran Shevkar and Sonali are beneficiaries of bail at the hands of learned trial court. That, Akshay is also beneficiary of anticipatory bail vide Anticipatory Bail Application No. 945 of 2025 by order dated 06.06.2025. Therefore, on the ground of parity, applicants urge for similar relief.

4. There is strong oppose on behalf of learned APP as well as learned counsel for complainant on the ground that applicants are specifically named. That, their roles are also crystallized in the complaint. Moreover, according to learned APP, in statement of victim under section 164 of Cr.P.C. also there is name of present applicants. Learned APP pointed out that, there is no legal sanctity to the alleged marriage between Akshay and complainant. According to him, it is the case of sexual exploitation. For all above reasons, he prays to refuse the relief.

5. After considering the above submissions and on going through the FIR dated 15.04.2025, it is emerging that, complainant gave her age as 19 years and to be a student. Substance of the FIR is that, in 2021, she got acquainted with one Akshay and their acquaintance subsequently turned into love affair. She herself

reported to the police that, on 16.10.2024, she left her own house under the belief that her family members would not approve their love relationship and she went from Amrutvahini College to Alandi accompanied by Akshay and performed marriage under the vedic rituals. She has reported that thereafter they again came back to Sangamner and after about a month, she alleged that on 11.11.2024, at the instance of Akshay, they both fled to Mhaswad, District Satara. There with the help of one Ganesh Bansode, they obtained a room on rent and stayed for 8 to 10 days. Then, she alleged that, on 19.11.2024, Lata Dighe brought her as well as Akshay before Police Station, Sangamner where her parents were lodged missing report. She has alleged that, because of alleged threat to kill by Akshay and Ganesh, instead of accompanying her parents, she again went with Akshay to Mhaswad and stayed there 8 to 10 days. She further stated that, in December 2024, they went to Madhya Pradesh and there she has alleged that with the help of present applicant Amit, a room was taken and Akshay used to detain her in a room and there Akshay maintained physical relations with her against her wish. Then, she has alleged that while at Madhya Pradesh i.e. at Nagalwadi whenever she used to request Akshay to take her back to Sangamner, Akshay and present applicant used to beat her by fist and kick blows. She has alleged that, financial help was given to Akshay by persons, namely, Kiran and Ravindra. Then, she has alleged that, Akshay and

present applicant Amit and two unknown persons brought her to Baramati and there she alleged that mother and sister of Akshay, namely Sonali joined them. Sonali administered the medicine to her. Then, she has alleged that, while at Baramati also, present applicant Kalyan also made her drunk medicine and threatened her, kept her starved and abused her. She managed to get in touch with her family members by use of laptop and thereby she gave statement.

6. Therefore, after appreciating the tenor of the FIR, it is emerging that, victim has given her age as 19 years. She has reported about her acquaintance and love relations with Akshay and even she seems to have left her house on her own accord under the fear and being in love relationship with Akshay, she performed marriage with him though by Vedic rituals.

7. Allegations against present applicants are that, being friend of Akshay, they helped him in arranging room at various places and there are also allegation against them that while they were in the company of Akshay, gave her fist and kick blows, and so also made her drunk medicine, however, the details of said instances are not stated by her. Orders passed by this court as well as trial court granting bail Akshay, Ravindra Dighe, Lata Dighe, Kiran Shevkar and Sonali shows that they are already beneficiaries of bail.

8. Considering the above nature of allegations, when no further recovery or discovery is to be made at the instance of present applicants and further investigation, if any, can be carried out by securing presence of the applicants, the relief as prayed deserves to be granted. Hence, the following order is passed :

ORDER

- (i) In the event of arrest of the applicants, namely (i) Amit S/o. Balasaheb Jagadale and (ii) Kalyan S/o. Laxman Taware, in Crime No.0320 of 2025 registered with Sangamner City Police Station, District Ahilyanagar for the offences punishable under sections 64(1), 127(4), 142, 189(1), 189(2), 191(2), 190, 115(2), 352, 351(2) read with section 3(5) of the Bharatiya Nyaya Sanhita, they shall be released on bail on furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) each with one solvent surety each in the like amount.
- (ii) The applicants shall attend the concerned Police Station on every Monday at 11.30 am. He is further directed to cooperate the investigation.
- (iii) The applicants shall furnish details of residential address and other contact details such as the mobile numbers etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.

(iv) Applicants shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

9. The Application is disposed off in the above terms.

(ABHAY S. WAGHWASE, J.)