



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL APPLICATION (BAIL) NO.35 OF 2025

**BHALCHANDRA @ DEEPAKSINGH VIJAY
SCINDIA**

... APPLICANT

Versus

**THE STATE OF MAHARASHTRA (THR.
POLICE INSPECTOR, SHAHAPUR POLICE
STATION)**

... RESPONDENT

Mr. Byron Rodrigues (through V.C.) with Ms. Leona Barreto,
Advocate for the Applicant.

CORAM:- VALMIKI MENEZES, J.

DATED :- 30th June, 2025

P.C.:

1. Registry to waive objections and register the matter.
2. This an application seeking interim anticipatory bail to enable the Applicant to transit from the State of Goa to Shahapur, Thane District in Maharashtra. Leaned Advocate for the Applicant submits that the FIR Crime No. 157/2025 has been registered against the Applicant at Shahapur Police Station for the offence punishable under Section 196(1) and 299 of BNS read with Section 3 (1)(V) of the Schedule Castes, Schedule Tribes (Prevention of Atrocities) Act, 1989 (Atrocities Act). The record reveals that according to the FIR, objectionable comments were put by the Applicant on Facebook on

07.05.2025, and as alleged in the complaint, the posts put up by the Applicant were with an intent to hurt the feelings of the complainant in relation to his caste.

3. The Applicant applied for anticipatory Bail before the Additional Sessions Judge-5, Kalyan vide anticipatory Bail Application No. 1205/2025, which came to be rejected on 12.06.2025. The very fact that the anticipatory bail Application was filed within the jurisdiction of the Thane Court, where the offence was registered, also implies that the Applicant was a resident of that area at the relevant time. In fact, the affidavit of the Applicant discloses that he is a professor residing at Kamal Nagar, Shahapur, Thane Rural, Maharashtra, which falls within the jurisdiction of the very Court that rejected the bail application. The Applicant now claims that he has temporarily come to the State of Goa for work and prays before this Court for an order granting transit anticipatory bail to present himself before the investigating agency to join the investigation. Reliance was placed on Dr. Ambedkar Mahila Vikas Mandal V/s Union of India and 3 ors.(Criminal Misc. Anticipatory Bail Application No. 11370 of 2024), Smt. Sangeeta Rai V/s State of U.P. through its Additional Chief Secy. Home Lko and 2 others (Criminal Misc. Anticipatory Bail Application No. 275 of 2024), Devender Kumar V/s State of Haryana (CRM-M-46733-2024 and on PriyaIndoria V/s State of Karnataka & ors, 2023 SCC Online SC 1484.

4. On perusing the Judgments cited before me, none of these would apply on their facts. All the aforementioned Judgments were cases where FIR was registered in one State and the Applicant applied in the High Court in the State where he either resided or he was temporarily present, without having first applied for the Anticipatory Bail in the Sessions Court or High Court with the jurisdiction over the particular crime. In the present case, the Applicant applied for anticipatory bail before the Thane Court, which was rejected on 12.06.2025. Neither has this order been challenged, nor a fresh application been filed before the principal seat of the High Court at Mumbai. The case law cited is distinguishable on their facts.

5. Considering that the anticipatory bail application has already been rejected by the Court with jurisdiction, this Court would have no jurisdiction, territorially, over the subject matter of the application. The application is therefore rejected at the threshold.

VALMIKI MENEZES, J.