

VRJ

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

**BAIL APPLICATION NO.44 OF 2025**

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| Pravin Alias Bunty Balveer Sarasar | ... Applicant  |
| <b>V/s.</b>                        |                |
| The State of Maharashtra           | ... Respondent |

Mr. Sandeep Kumar Singh with Ms. Surekha Kharwar  
for the applicant.

Ms. Megha S. Bajoria, APP for the State.

Mr. Sandeep Palve, API, Navghar Police Station, Thane  
is present.

**CORAM : AMIT BORKAR, J.**

**DATED : JULY 9, 2025**

**P.C.:**

**1.** This is a bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail in connection with Crime No.516 of 2024, registered with Navghar Police Station, for offences punishable under Sections 376, 376(2)(N), 406, 504, and 506 of the Indian Penal Code, 1860.

**2.** As per the case of the prosecution, the victim is a married woman and mother of two children aged around 12 and 17 years. Due to ongoing domestic disputes with her husband, she was facing mental stress. During this period, she came in contact with

the accused through her brother. The accused, pretending to help her, introduced her to a so-called spiritual Baba for resolving her problems. It is alleged that in December 2022, when the victim visited the house of the applicant, he gave her some kind of "vibhuti" (magic powder) mixed with water. After consuming the same, the victim allegedly became unconscious. It is further alleged that during that state, the applicant clicked semi-nude photographs of the victim and committed rape upon her.

3. The prosecution further alleges that after this incident, the applicant misused the said photographs and videos to blackmail the victim repeatedly. He allegedly demanded money and jewellery from her and also called her to various hotels. The victim alleges that the situation continued for some time. However, on one occasion, the applicant allegedly came to her house and abused her in front of her husband, due to which she was compelled to disclose the entire incident to her husband, and thereafter lodged the present report.

4. Learned advocate appearing for the applicant has submitted that, according to the victim's own version, she had a continuing relationship with the applicant for a period of about 18 months, despite being married and having two children. He argued that the FIR itself shows that the relationship continued over a long period and not just as a one-time incident. He submitted that the allegation that the applicant administered stupefying substance in December 2022 and then blackmailed the victim through photographs is not sufficient to deny bail, especially when the relationship was continuing. He therefore prayed that the

applicant be released on bail.

5. On the other hand, the learned APP strongly opposed the bail application. She pointed out that there is CCTV footage dated 10th September 2024, which shows the applicant threatening the victim. She submitted that the accused forcibly took away gold ornaments from the victim and continuously blackmailed her by threatening to make the objectionable photographs viral on the internet. She contended that the gravity of the allegations, coupled with the conduct of the applicant, makes it clear that this is not a consensual relationship, but one of exploitation under coercion. She therefore urged for rejection of the bail application.

6. I have considered the rival submissions and perused the material placed on record. It is to be noted that the FIR was lodged after a considerable delay, and as per the narration of the victim herself, the alleged relationship with the applicant continued for a period of around 18 months. During this entire period, there is no contemporaneous complaint lodged by the victim. The alleged incident of administration of a stupefying substance took place in December 2022, whereas the FIR came to be registered only after the altercation in presence of her husband in September 2024.

7. The entire case of the prosecution is primarily based on the victim's version. While her statement deserves due consideration, the fact that the relationship spanned over a prolonged period without any immediate outcry or report, cannot be overlooked at this stage. The allegations of blackmail through objectionable photographs are serious, however, these are matters which will be

tested during trial.

8. The applicant is stated to be a permanent resident and there is no material placed on record to show that he is a flight risk or that he has tampered with evidence or influenced witnesses during investigation. The charge sheet is stated to have been filed, and custodial interrogation of the applicant is no longer necessary.

9. In view of the above circumstances, and considering the settled principles for grant of bail laid down in the decision of the Hon'ble Supreme Court in *Satender Kumar Antil vs. Central Bureau of Investigation*, (2022) 10 SCC 51, I am of the opinion that the applicant has made out a case for grant of bail.

10. Hence, the following order is passed.

11. The applicant Pravin @ Bunty Balveer Sarasar is directed to be released on bail in connection with Crime No.516 of 2024, registered with Navghar Police Station for offences punishable under Sections 376, 376(2)(N), 406, 504 and 506 of the Indian Penal Code, 1860, upon furnishing a personal bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall not, in any manner, contact the victim or her family members, directly or indirectly.
- b) The applicant shall not enter the locality where the victim resides, and shall maintain a distance of at least 500 meters from the place residence of the victim.

- c) The applicant shall not tamper with the evidence or attempt to influence any witness.
  - d) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
  - e) The applicant shall report to the Navghar Police Station on the first Monday of every month between 10.00 a.m. and 12.00 noon, until further orders.
  - f) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.
  - g) The applicant shall not indulge in any criminal activity during the pendency of the trial.
- 12.** The bail application stands disposed of in the aforesaid terms.

**(AMIT BORKAR, J.)**