

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1035 OF 2025

Amol Dattaram Kadam

.. Applicant

Versus

The State Of Maharashtra

.. Respondent

.....

- Mr. Vishal G. Salvi, Advocate for Applicant.
- Ms. Rajeshree V. Newton, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 11, 2025

P. C.:

1. Heard Mr. Salvi, learned Advocate for Applicant and Ms. Newton, learned APP for State.

2. Applicant - accused has filed the present Application for regular bail in connection with Crime No. 624 of 2024 registered with Vitthalwadi Police Station for the offences punishable under Sections 308(2), 74, 77, 78, 79, 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, "**BNS**"). FIR is filed on 25.11.2024.

3. Applicant is arrested on 26.11.2024. Reading of the Application and the prosecution case emanating from the FIR *prima facie* shows that there are two precursor incidents with respect to the Applicant and the First Informant and her husband in question. In fact, Applicant is also relative of the First Informant and her husband. It

seems that there were two transactions in respect of the Applicant due to which he was incensed, one when the Applicant had advanced an amount of Rs.1,50,000/- to the husband of First Informant for purchasing of flat in the year 2019 which he failed to return to the Applicant despite repeated requests and second a DSLR camera which was jointly bought by Applicant and First Informant's husband but was sold by the First Informant herself without the consent of Applicant. It is only when the wife of the Applicant visited house of the First Informant and demanded moneys in respect of aforesaid two incidents and reasons that the present FIR has been filed as a counterblast. This is what is argued by the learned Advocate.

4. When the FIR is perused, it is *prima facie* seen that an incident of the Applicant having outraged the modesty of the First Informant has been stated in the FIR of he having clicked 3 to 4 photographs while she was changing her clothes in the bedroom but the date of the incident is stated to be on one day during the last week of June, 2024. What is intriguing is the fact that in October, 2024 the wife of Applicant made repeated visits to the house of First Informant for demanding moneys and it is only on this account present FIR is filed this is what is argued by the learned Advocate for Applicant. FIR is lodged on 25.11.2024.

5. Learned APP shall take appropriate instructions as in the aforesaid facts I propose to hear and determine the Application on the next adjourned date.

6. Stand over to **17th March, 2025.**

PR. Rajput

[MILIND N. JADHAV, J.]