

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

Bail Application No. 3243 of 2025

Vishnu Jalindar Sangale
Age 57 years, Occ. Farming,
R/o.- Trimurti Nagar, Jalochi,
Tal.- Baramati, Dist.-Pune.

... Applicant

Versus

1. The State of Maharashtra
(At the instance of the P.I.
Baramati City Police Station,
Pune, vide C.R.No.94/2025)

2. XYZ
(To be served through concerned
Police Station)

... Respondents

Mr Aniket Nikam a/w Ms Abhilasha Pawar i/b Sumit Patil, for
the applicant.

Mr B B Kulkarni, APP, for respondent No.1/ State.

Mr Ranjeet M Pawar, for respondent No.2.

PSI V V More, Baramati City Police Station, Pune, is present.

Coram: R.N. Laddha, J.

Date: 17 December 2025

P.C.:

By this application, the applicant seeks bail in connection
with CR No.94 of 2025, registered with Baramati City Police
Station, Pune Rural, for offences punishable under Sections
377, 376, 498(A), 323, 504, and 506 read with 34 of the

Indian Penal Code (IPC).

2. The prosecution alleges that on 10 January 2024, around 10:30 p.m., while the complainant was alone in her room with her son, her father-in-law entered the room, sexually assaulted her, forcibly had intercourse with her, and threatened to kill her if she disclosed the incident.

3. Mr Aniket Nikam, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and submits that the applicant has been falsely implicated in the crime. It is submitted that the complainant was married to the applicant's son on 23 January 2022 and that their matrimonial relationship was marred by serious disputes. Owing to such discord, the complainant admittedly left her matrimonial home on 19 January 2024. The learned Counsel further submits that subsequent to the complainant's departure from the matrimonial home, her husband instituted divorce proceedings on 14 March 2024. It is pointed out that nearly two months thereafter, the complainant lodged a written complaint before the Women's Protection Cell, Ahmednagar, wherein she merely alleged that the applicant had touched her inappropriately. Significantly, in the said complaint, there is a conspicuous absence of any allegation pertaining to the commission of rape. The learned Counsel submits that this material omission

assumes considerable significance and casts serious doubt on the veracity of the complainant's allegations. It is further contended that the credibility of the prosecution's case is further eroded by the inordinate and unexplained delay in lodging the FIR, as the FIR alleging the offence of rape came to be registered after a lapse of nearly one year from the alleged date of the incident and only after the divorce petition had been filed by the complainant's husband. Such a delay, according to the learned Counsel, renders the prosecution's version highly doubtful.

4. The learned counsel further submits that the applicant has been languishing in jail since 7 July 2025. The investigation has been concluded and a chargesheet has already been filed. The learned counsel further submits that the applicant has no prior criminal antecedents and is willing to abide by any condition that this Court deems fit to impose.

5. Mr BB Kulkarni, the learned Additional Public Prosecutor appearing on behalf of respondent No.1/ State, and Mr Ranjeet Pawar, the learned Counsel representing respondent No.2/ informant, vehemently oppose the applicant's request for bail contending that the offence is serious. The learned APP expresses apprehension that if enlarged on bail at this stage, the applicant is likely to tamper with prosecution evidence and

influence or intimidate witnesses, which would impede the trial proceedings.

6. This Court has considered the submissions advanced across the Bar and perused the records. It appears from the record that the applicant is the father-in-law of the complainant. It is alleged that the applicant committed rape upon the complainant on 10 January 2024. It is further borne out from the record that the complainant left the matrimonial home on 19 January 2024. The record further discloses that the applicant's son, who is the husband of the complainant, filed a petition for divorce against the complainant on 14 March 2024. Subsequently, on 17 May 2024, the complainant submitted a detailed written complaint addressed to the Police Inspector, Women Help Centre, Ahmednagar. Notably, in the said exhaustive complaint, the complainant did not level any allegation of rape against the present applicant. On the contrary, the allegation made therein was limited to the assertion that the applicant had outraged her modesty by inappropriately touching her. Thereafter, on 7 October 2024, the complainant approached the Bharosa Cell, Ahilya Nagar, and for the first time alleged that the applicant had committed rape upon her. It is significant to note that even in this complaint, the complainant did not specify any particular date

or month of the alleged incident of rape. On the same day, the Bharosa Cell advised the complainant to lodge a complaint with the concerned police station. However, despite such advice, no FIR came to be registered until 19 March 2025. It is further evident from the record that in the divorce proceedings initiated by the husband, the complainant has not filed her written statement.

7. Furthermore, the investigation in the present matter has been concluded and the charge sheet has already been filed. At this stage, no further recovery or discovery remains to be effected from the applicant. Though the charge sheet has been submitted, the charges are yet to be framed, and it is evident that the trial is likely to take a considerable period of time before its final adjudication. In the totality of the circumstances, the applicant's continued incarceration is not warranted. Hence the following order:

ORDER

(i) The applicant shall be released on bail in connection with CR No.94 of 2025, registered with Baramati City Police Station, Pune Rural, upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

(iii) The applicant shall regularly attend and cooperate with the jurisdictional Court for the expeditious disposal of the case.

(iv) The applicant shall refrain from contacting the victim in any manner whatsoever.

8. The application stands disposed of accordingly.

[R.N. Laddha, J.]