

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 114 OF 2025

Bharat Rama Mane ...Applicant

V/s.

The State of Maharashtra & Anr. ...Respondents.

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Mr. Shailesh Chavan a/w. Mr. Bharat Shinde, Mr. Govind Mundhe,
Mr. Parthraj Ware and Mr. Vinod Kendre for the Applicant.

Mr. P.H. Gaikwad, APP for the Respondent/State.

Mr. Pradeep Havnu for Respondent No.2.

PI Mayadevi , PI Malwani Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 13.10.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.425 of 2024 registered at Charkop Police Station for the offences punishable under Sections 74, 75(3), 79, 351(3) of the Bharatiya Nyaya Sanhita, 2023.
3. The first informant is the daughter of the applicant. There is an ongoing matrimonial dispute between the applicant and his wife. The applicant and his wife are joint owners of Room No. 801, B/Wing, Charkop Ashray Horizon Gold Building, Charkop, Kandivali (W) Mumbai. There is a civil suit pending in respect of the said premises between the applicant and his wife. On 29th July 2024, Crime No. 411 of 2024 was registered by the developer Vidya Gavkar against the present applicant for the offences punishable

under Sections 329(4) and 3(5) of the BNS, as the applicant had unauthorisedly taken possession of the said premises. There is one more crime registered against the present applicant at the instance of his wife bearing Crime No.420 of 2024 for the offences punishable under Sections 85, 79, 118(1), 115(2), 352, 351(3) of the BNS.

4. It is the case of the prosecution that on the date of incident which took place on 3rd August 2024, a dispute arose between the first informant and the applicant and during the said dispute the present applicant abused and threatened the first informant as well as touched her inappropriately, thereby outraging her modesty.

5. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and learned counsel for the respondent No.2/intervener.

6. Learned counsel for the applicant submits that there is a cross FIR in relation to the incident in question. It is submitted that false report came to be lodged against the applicant just to grab the premises in question.

7. On the other hand, learned APP for the respondent/State and the learned counsel for the respondent No.2/first informant submit that the applicant is repeatedly harassing his wife and the first informant. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

8. I have perused the first information report. There is a matrimonial dispute between the applicant and his wife. There is a cross FIR in respect of the incident in question. There appears to be no need of custodial interrogation of the applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail on certain conditions. In the result the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No. 425 of 2024 registered at Charkop Police Station for the offences punishable under Sections 74, 75(3), 79, 351(3) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.
- C) The applicant shall not enter into the jurisdiction of Charkop Police station till conclusion of trial.
- D) The applicant shall not tamper with the prosecution evidence.
- E) Liberty is granted to the prosecution and the first informant to file an application for cancellation of anticipatory bail, if the applicant commits breach of any of the above conditions.

[N.R.BORKAR, J.]