

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.515 OF 2025**

Abhishek Kumar Piarelal Sharma	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Ashwin V. Sakolkar, for the Applicant.
Ms. S. M. Yadav, APP, for the Respondent No.1-State.
Mr. Shrirang Katneshwarkar a/w. Mr. Sandeep Gupta, for the Respondent No.2.
Mr. Munir Inamdar, PSI, attached to Wanwadi Police Station, Pune, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd DECEMBER 2025**

PC:-

1. At the outset, Mr. Ashwin Sakolkar, learned Counsel appearing for the Applicant seeks leave to carry out the amendment in paragraph Nos.2(a) and 2(d) of the Anticipatory Bail Application. Amendment be carried out forthwith. Re-verification is dispensed with.

2. Heard Mr. Sakolkar, learned Counsel appearing for the Applicant, Ms. Yadav, learned APP appearing for the Respondent No.1-State and Mr. Katneshwarkar, learned Counsel appearing for the Respondent No.2.

3. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.23 of 2025 registered with Wanwadi Police Station, Pune, for the offences punishable under Sections 69, 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

4. The prosecution case is set out in paragraph Nos.3 to 5 of the order dated 12th February 2025 passed by the learned Additional Sessions Judge, Pune in Bail Application No.437 of 2025, which reads as under:

“3] The case of the prosecution as can be gathered from the First Information Report is that victim aged about 32 years is working as Journalist in Bharat Media and Infotech Pvt. Ltd, Noida, UP since last 2 years and is permanent resident of Raipur. Due to her work she is frequently required to travel to Mumbai and Delhi. In December 2024, since she was intending to marry, she got herself registered in the Defence Wards Matrimony Website and got acquainted with the accused on 08.12.2024. Since she liked the profile of the accused, the victim sent request on the matrimonial website. However, as the accused did not see her request on the website, the victim called him on his mobile number which was given on the website. The accused informed her that he was not active on the website and requested her to send her bio-data on Whatsapp as he too was interested to marry her. Accordingly, the victim sent her Bio-data to the accused on Whatsapp and they started chatting on the WhatsApp. The accused informed the victim that presently he is residing at Bilaspur, Himachal Pradesh and would be visiting Pune on 13.12.2024 and asked the victim to come to

Pune so that they can talk about their marriage. The victim came to Pune on 16.12.2024 at about 8 pm and contacted the accused. The accused asked the victim to directly come to his residence at Single Officer's Accommodation AFMC turf, Club Road, Pune. When the victim came to his house, the accused was working on his laptop and hence the victim remained seated in the hall. At the house of the accused one of his roommate was also present. The victim asked the accused that they would go outside for dinner and discuss about their marriage, however the accused ordered the food at his residence only. Thereafter all of them had their dinner and the roommate of the accused went to the Hall for sleeping and the victim and the accused had some chit chats.

4] At about 11.30 pm, the victim went to sleep on the bed and the accused slept on the floor. After some time, the accused promised the victim that he will be marrying her and suddenly pressed her mouth and inserted his private parts into the mouth of the victim and forcefully had vaginal as well as Anal sex with her. The victim forcefully pushed him, however the accused assured her that he would be marrying her and asked her not to disclose it to anyone. The accused on the next day went to his work at about 7.30 am and the victim stayed at his house. The accused returned home at about 2.30 pm and said to the victim that he would marry her and dropped the victim near AFMC and left the place. The victim returned to Mumbai. Since the victim did not like what the accused did to her, they used to talk about it on mobile phone and whenever the victim used to ask the accused as to when he was going to marry her, the accused used to quarrel with her.

5] After someday as per the decided, the victim again came to Pune on 21.12.2024 at about 8 pm and called the accused. However, as the accused was not responding to the calls of the victim, the victim herself booked a lodge online near Hadapsar. Whenever the victim used to call the accused, the accused used to quarrel with her. The victim on

23.12.2024 called the accused to the lodge and the accused came to the lodge at about 10.30 pm. Thereafter both the victim and the accused went out for dinner at Seasons Mall where accused drank beer. At that place, the accused abused the victim and asked the victim not to force him for marriage and further threatened her and said to the victim that if she forces him to marry her, he would marry her and on next day would give divorce to her. The victim tried to convince him, however the accused was not listening to her and then the accused took the victim in his four wheeler to the lodge. At the room, the accused was quarreling with the victim and suddenly, the accused forcibly removed the clothes of the victim. The victim refused, however the accused apologize for his behavior and said that he would marry her and though the victim did not give her consent, the accused forcibly had sexual intercourse with her. The accused thereafter left the room at 2.45 am and when the victim asked for marriage, the accused refused it. As the accused on the pretext of marriage committed sexual intercourse with her, the victim finally on 14.04.2025 went to the non-applicant police station to lodge complaint against the accused. On the basis of the complaint given by her, the non-applicant police station registered First Information Report vide crime no. 23/2025 for offences under section 69, 351(2), 352 against the accused and started investigation in the crime.”

5. It is the submission of Mr. Sakolkar, learned Counsel appearing for the Applicant that a learned Single Judge has already protected the Applicant by order dated 25th February 2025. He submits that the Applicant has cooperated with the investigation and his cell phone and laptop have been handed over to the police and that the Applicant has also undergone the medical examination. He submits that the Applicant is Squadron Leader and Doctor at Armed

Forces Medical College, Pune and currently he is pursuing M.D. in ENT at Armed Forces Medical College, Pune.

6. Ms. Yadav, learned APP strongly opposes the Anticipatory Bail Application. She submits that the offence is very serious. She submits that the charge-sheet is ready and the same will be filed within a period of 10 days before the learned Trial Court.

7. Mr. Katneshwarkar, learned Counsel appearing for the Respondent No.2 submits that the Applicant is very influential person. He further points out the SMS (Page-57) sent by the Respondent No.2. He submits that as the offence is very serious, pre-arrest bail be not granted.

8. Perusal of the record shows that the charge-sheet is ready and therefore, the investigation is completed. A learned Single Judge by order dated 25th February 2025 has already granted interim protection and the said protection is continued for last 10 months. Although the offence is very serious, by imposing stringent conditions, the protection granted by a learned Single Judge by order dated 25th February 2025 can be continued.

9. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Abhishek Kumar Piarelal Sharma in connection with C.R. No.23 of 2025 registered with the Wanwadi Police Station, Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Wanwadi Police Station on every Sunday between 11:00 a.m. to 01:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

10. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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