

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.516/2025

HIMANSHU SHIVAJIRAO SHINDE ...APPLICANT
VS
STATE OF MAHARASHTRA AND ANR ...RESPONDENTS

...
Adv. Sudeep Pasbola, Senior Counsel a/w Vishal M. Deshmukh,
Chinmay Godse and Rajan Gurnani for the Applicant.
Adv. Nitin B. Patil, APP for the State.
Adv. Sarthak Diwan for Respondent No.2.
The First Informant is present in-person.
PSI Suresh Baburao Jaybhay, Sinhagad Road Police Station, Pune City.
...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 17, 2025

PC.:

1. Mr. Pasbola, the learned Senior Counsel submitted that
The applicant is a practicing advocate in Mumbai. The allegations are
made in the complaint pursuant to which an FIR has been lodged
against the applicant.

2. The learned senior counsel for the applicant further
submitted that the applicant was earlier married, and within a period of
three months, there was a divorce. He further submits that the divorce
in the first marriage was by consent. He has also referred various chats
between the applicant and the first informant which according to him
shows that the first informant was informed, about the difference

between the age of the applicant and the first informant, and so also earlier marriage of the applicant. He submits that there are no criminal antecedents reported against the present applicant and there is no need for custody of the present applicant. The applicant is ready to co-operate.

3. Learned counsel for the first informant informed that the first informant has already lodged a divorce proceeding in the month of July, 2024 in Family Court at Pune. A summons to that effect has been issued to the first informant. However, there is no appearance filed by the applicant. The first informant, who is married with the applicant, as of today, is a practicing advocate in the Pune City. It is further submitted that in spite of second marriage with the applicant still in existence and no divorce being granted by Court of law, the first informant is already planning his 3rd marriage which is not permitted in law. He submits that there are obscene photographs of the first informant in the mobile phone of the applicant which has not been handed over by the applicant to the investigating officer. He submits that the said mobile phone should be first handed over by the applicant to the investigating officer. He submits that there are various allegations made against the present applicant, therefore, custody of the present applicant is necessary. He submits that the applicant also has extra marital affair with his intern. The obscene photographs of said interns are also present in the mobile

phone of the present applicant.

4. After hearing the counsel of both the sides at length, according to me, suffice would be the purpose as of today if the following two directions are given to the applicant.

(a) The applicant should submit his mobile phone along with password of his mobile phone and password of the various online applications, to the investigating officer by 5.00 pm on 18 March 2025.

(b) The applicant should also co-operate with the investigating officer in order to carry out his medical test at Sassoon General Hospital, Pune and attend the office of the investigating officer on the date fixed for the medical test as informed in advance by the investigating officer.

5. I have been informed by the APP that such medical test report would take some time. Therefore, the matter can be taken up after the report is available.

6. Stand over to **28 April 2025** under the caption “**for compliance.**”

7. Till the next date of hearing, no coercive steps be taken against the applicant. However, the investigating officer is permitted to go ahead with the investigation of the crime.

8. Since, there is a matrimonial dispute and both the parties are in legal profession, they are free to go for mediation if they so desire.

(RAJESH S. PATIL, J.)