

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

Anticipatory Bail Application No. 716 of 2025

Pratap Sandip Salunkhe

Age 23 years, Occupation – Education,

R/at. Jamadar Road, Kasaba,

Baramati, Taluka – Baramati,

District – Pune.

... Applicant

versus

1. The State of Maharashtra

(Malegaon Police Station,

Taluka Baramati, in connection with

C.R. No.299 of 2024)

2. XYZ

(Malegaon Police Station, Tal. Baramati)

... Respondents

Mr Rupesh Zade, for the Applicant.

Mr A S Shalgaonkar, APP, for Respondent / State.

Mr Tanmay Karmarkar, for Respondent No.2.

PSI Devidas Salve, Malegaon Police Station, Pune (Rural) is present.

Coram: R.N. Laddha, J.

Date: 12 August 2025

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.299 of 2024, registered at Malegaon Police Station, Pune Rural, for offences punishable under

Sections 64(2)(m) and 69 of the Bharatiya Nyaya Sanhita, 2023.

2. According to the prosecution, between 2021 and September 2024, under the false pretext of marriage, the applicant engaged in physical relations with the informant. Subsequently, the applicant reneged on his commitment and avoided further contact with the victim.

3. Mr Rupesh Zade, the learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. He submits that both the applicant and the informant/victim are consulting adults who were engaged in a consensual relationship. There is a significant delay in lodging the FIR. The learned Counsel, on instructions, further submits that the applicant is ready and willing to comply with the conditions imposed by this Court, including undergoing a medical examination, surrendering his mobile phone and refraining from entering the vicinity where the victim resides.

4. Mr Anand Shalgaonkar, the learned Additional Public Prosecutor representing respondent No.1/ State, and Mr Tanmay Karmarkar, the learned Counsel appearing for respondent No.2, jointly oppose the applicant's request for pre-

arrest bail and contend that the offence is of a serious nature. They submit that the applicant engaged in sexual relations with the informant under the false pretence of marriage, which constitutes a serious breach of trust and exploitation. The learned APP, however, acknowledges that the investigation has concluded except for the medical examination of the applicant and the recovery of his mobile phone.

5. Upon perusing the records, it appears that both the applicant and the victim are of legal age and were involved in a consensual relationship. Their relationship appears to have lasted from 2021 to September 2024; however, the FIR was lodged only in December 2024. There appears to be a substantial delay in registering the crime. The learned APP acknowledges that apart from the applicant's medical examination and recovery of his mobile phone, the investigation has concluded. To address concerns regarding tampering with the evidence or witness influence, appropriate conditions can be imposed. In these circumstances, the present application is allowed on the following terms:

ORDER

- (i) In the event of the applicant's arrest in CR No.299 of 2024, registered at Malegaon Police Station, Pune Rural, he

shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station on 18, 19 and 20 August 2025 between 11:00 a.m. and 2:00 p.m. to surrender his mobile phone and undergo medical examination, and thereafter, as and when required by the investigating officer.

(iii) The applicant, himself or through any other person, shall refrain from contacting the victim in any manner whatsoever.

(iv) The applicant shall not enter the jurisdiction of the concerned Police Station until the filing of the charge sheet.

(v) The applicant, either himself or through any other person, shall not indulge in any activities that may lead to evidence tampering or witness influence.

6. The application stands disposed of accordingly.

[R.N. Laddha, J.]