



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.841/2025

LAXMAN DURYODHAN KODAG

...APPLICANT

VS

STATE OF MAHARASHTRA AND ANR.

...RESPONDENTS

...

Adv. Sachin Hande for the Applicant.

Adv. Anand S. Shalgaonkar, APP for the Respondent No.1.

Adv. Aditi M. Athawale for Respondent No. 2.

API Priyanka B. Pawar Ghatkoper Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : APRIL 16, 2025

P.C.:

1. The application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.132/2025 registered with Ghatkopar Police Station for the offences punishable under sections 115(2), 352, 82(2), 85, 318(4) of the Bharatiya Nyaya Sanhita, 2023.

2. As per the complaint file, an FIR has been lodged. The role of the present applicant has been mentioned in the FIR.

3. The learned counsel for the applicant submits that the victim lady is 32 years of age who had willingly stayed in physical relationship with the applicant for over two years, despite she knowing

that the applicant is married and he is a father of two children. Due to financial dispute between the applicant and the victim girl, there was a strained relationship due to which, the present FIR has been lodged. There is no concealment and the applicant had never promised to marry with the present victim lady. The applicant was continuously pressurized to send monies to the victim lady. As the applicant did not send money, the FIR has been lodged. There is no antecedent as regards the present applicant. Charge-sheet has already been filed, therefore there is no question of arresting the present applicant.

4. The learned APP and Ms. Athawale, learned counsel for respondent no.2 have opposed the present application. They submit that there was promise to marry, however, later the applicant refused to get married with the victim lady. After she was pregnant, the applicant stopped contacting her and ultimately the pregnancy had to be terminated. It will be necessary to interrogate the present applicant, who is in the habit of passing derogative remarks against the victim lady. The applicant never informed the victim lady about his marriage and being a father of two children. Only after the pregnancy of the victim lady was terminated, the applicant disclosed about his marriage. The applicant got married with a victim lady first at Sangli and thereafter at Ghatkopar, Mumbai. The said marriage was thereafter registered with the Registering Authority-Bombay Municipal

Corporation. A certificate to that effect is annexed at page no. 212. Therefore, the custody of the present applicant would be necessary.

5. I have heard the counsels for all the sides and have gone through the documents on record including the FIR.

6. The victim lady is 32 years of age. Though it is believed that the victim lady was not aware about the applicant being married, it has to be shown before this Court that the custody of the present applicant would be necessary. The charge-sheet has already been filed on 9 April 2025, which means that the investigation to that effect has been completed. The case of the applicant is that he had met the victim lady in the month May 2022 at Hotel Vrindavan Madhuban Lodge Bar Jath where, one Mr. Pravin Bua introduced the applicant to the victim lady. Thereafter, both of them continued their friendship, ultimately which got converted into physical relationship. There is no antecedent as regards the present applicant. The learned APP has not given any valid reason as to why the custody of the present applicant is necessary. Therefore according to me, suffice would be the purpose if the stringent conditions are imposed on the applicant who is the married and father of two children while granting anticipatory bail application.

7. The question whether the applicant has cheated the present victim on the ground of false promise to marry without disclosing about

his first marriage. According to me, there are the questions which have to be decided at trial by leading evidence. Therefore, at this stage the pre-arrest bail application of the applicant needs to be allowed. Hence, I pass the following order.

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with Crime No. 132/2025 registered with Ghatkopar Police Station, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.50,000/- with one or more sureties of the like amount.
- (c) The applicant shall co-operate with the investigation and attend and meet the Investigating Officer of the concerned Police Station on every Monday between 11:00 a.m. to 1:00 p.m., till trial is concluded.
- (d) The applicant should not directly or indirectly contact the first informant or witnesses in any form whatsoever.
- (e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and

further, the applicant shall not tamper with the evidence in any manner whatsoever.

(f) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

8. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicants in the present application, and that the trial Court shall proceed further, without being influenced by the observations made in this order.

9. **The anticipatory bail application is disposed off.**

(RAJESH S. PATIL, J.)