

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.984 OF 2025

Ganesh Sundarrao Giram & Anr.	...Applicants
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Narayan G. Rokade a/w. Mr. Rakesh Sonar, Mr. Siddharth R. Ghodke, Mr. Ramchandra Wagh, Ms. Mrunmai K. Rokade and Mr. Swapnil Kalokhe, for the Applicants.
Ms. R. V. Newton, APP, for the Respondent No.1-State.
Mr. Ravindra Pachundkar, for the Respondent No.2.
Mr. Tushar Bhor, PSI, attached to Malegaon Police Station, Pune Rural, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 6th NOVEMBER 2025

PC:-

1. Heard Mr. Rokade, learned Counsel appearing for the Applicants, Ms. Newton, learned APP appearing for the Respondent No.1-State and Mr. Pachundkar, learned Counsel appointed by the High Court Legal Services Committee, Mumbai to represent the interest of the Respondent No.2.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in

connection with C.R. No.37 of 2025 registered with Malegaon Police Station, Pune Rural, Pune, for the offence punishable under Sections 64, 87, 123, 351, 352 and 3(5) of the Bharatiya Nyay Sanhita, 2023 and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution case, the Applicant No.1 and the First Informant came in contact with each other in a course of Art of Living conducted at village-Markal, Alandi and it appears that during the said period the relationship developed between the present Applicant No.1 and the First Informant and on 25th June 2024 marriage was solemnized between them, which is illegal as the Respondent No.2-First Informant was minor. As per the prosecution case, during the said period the Respondent No.2 was not completely conscious as the Applicant has given her tea mixed with drug, apart from the fact that, she is suffering from some mental illness.

4. Ms. Newton, learned APP strongly opposes the Anticipatory Bail Application. She pointed out the affidavit dated 3rd November 2025 of Mr. Tushar Arjun Bhor, Police Sub Inspector, Malegaon

Police Station, Pune Rural, Pune and she also pointed out the statement dated 30th September 2025 of the victim, where she has stated that the Applicant No.1 has threatened her to withdraw the case.

5. Mr. Pachundkar, learned Counsel appearing for the Respondent No.2 submitted that the said marriage was solemnized under the influence of drugs and victim was forced to tell false information to her family members under pressure. He submitted that the FIR is also under Section 4 of the Protection of Children from Sexual Offences Act, 2012 and therefore, the Applicants are not entitled for pre-arrest bail.

6. Mr. Rokade, learned Counsel appearing for the Applicants, on instructions, submits that the Applicants will not enter Tal. Baramati, Dist. Pune, except for attending the trial.

7. Perusal of the record shows that even as per prosecution case, the Applicant No.1 and the First Informant came in contact with each other at the course of Art of Living. Thereafter, they got married on 25th June 2024. It is the prosecution case that the said

marriage was solemnized due to pressure and the First Informant has taken drugs, which the Applicant No.1 has mixed in tea. Although the allegations are very serious, however, it is required to be noted that in fact, the present Applicant No.1 has filed Habeas Corpus Writ Petition before the Aurangabad Bench of the Bombay High Court and the said matter was disposed of in view of the filing of the subject FIR.

8. Perusal of the record further shows that the chargesheet is already filed. Thus, the investigation is completed.

9. However, the statement dated 30th September 2025 of the victim shows that the Applicant No.1 has threatened the victim by stating that she should take back the case. As the chargesheet is filed, investigation is completed and therefore, the case is made out for grant of Anticipatory Bail. However, in the facts and circumstances, stringent conditions are required to be imposed on the Applicants. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant No.1- Ganesh Sundarrao Giram and the Applicant No.2-Sakharam

Janardhan Giram in connection with C.R. No.37 of 2025 registered with the Malegaon Police Station, Pune Rural, Pune, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.50,000/- each with one or two solvent sureties each in the like amount.

- (b) The Applicants shall not enter the Taluka-Baramati, District-Pune after being released on bail, except for reporting to the Investigating Officer, if called, and for attending the trial.
- (c) The Applicant No.1 shall attend the Nava Mondha Police Station, Parbhani, on every Sunday between 11:00 a.m. to 01:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. The Police Inspector of Nava Mondha Police Station, Parbhani to communicate details thereof to the Investigating Officer.
- (d) The Applicants shall furnish their cell phone number and residential address to the Investigating Officer

and shall keep the same updated, in case of any change thereto.

- (e) The Applicants 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.
- (f) The Applicants 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.

11. This Court places on record the appreciation of the assistance rendered by Mr. Ravindra Pachundkar, learned Counsel appointed to represent the interest of the Respondent No.2.

[MADHAV J. JAMDAR, J.]

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