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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1021 OF 2025

SWAPNIL LAXMAN GAIKAR

..... APPLICANT

VERSUS

STATE OF MAHARASHTRA & ANR.

..... RESPONDENTS

Mr. S. H. Pasi for the Applicant.

Mr. Ajay S. Patil, A.P.P. for the State.

Mr. Kamble, P.S.I., Gorai Police Station.

CORAM : RAJESH S. PATIL, J.

DATE : 6th MAY, 2025

P.C. :-

This application is filed for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with FIR No. 0017/2025 dated 24th March, 2025 registered with Gorai Police Station, for the offence punishable under Sections 64(2) (d) of the Bharatiya Nyaya Sanhita, 2023.

2. Based on the complaint, an FIR has been lodged. The role of the present applicant is mentioned in the said FIR.

3. It has been submitted before me that the applicant has surrendered passport with the Investigating Officer. The appointed

advocate appearing on behalf of the 2nd respondent submits that she had filed an affidavit dated 7th April, 2025. In the said affidavit, she has made a specific statement that there is some kind of misunderstanding between the applicant and the first informant due to which she had made allegations against the applicant. She has now understood her mistake. Therefore, she is thinking back about the allegation made against the present applicant. He submits that the complainant is present in Court and even today she has no objection if the pre-arrest bail is granted to the present applicant. The learned A.P.P. on instructions submits that the custody of the present applicant is not at all necessary. There are no criminal antecedents against the present applicant.

4. After hearing the learned counsel for the parties and after going through the documents on record and the affidavit executed by the complainant before the Sessions Court, I am convinced that the pre-arrest bail application can be granted. Hence, the following order :-

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with Crime No.

0017/2025 dated 24th March, 2025 registered with Gorai

Police Station, for the offence punishable under Sections 64(2) (d) of the Bharatiya Nyaya Sanhita, 2023, the applicant shall be released on bail, on furnishing P.R. bonds to the extent of Rs.30,000/- 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 13th May 2025 and 14th May 2025 between 11:00 a.m. to 1:00 p.m. and thereafter as and when called.

(d) The applicant should not directly or indirectly contact the first informant 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 their residential addresses, contact numbers and e-mail

addresses to the Investigating Officer.

5. 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 applicant in the present application, and that the trial Court shall proceed further, without being influenced by the observations made in this order.

6. **The anticipatory bail application is disposed of.**

[RAJESH S. PATIL, J.]