

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

**Anticipatory Bail Application No. 1052 of 2025**

Samir Balkrishna Chavan  
Age 51 years, Occ. Service,  
R/at. B/202, Lakshman Tirth  
Apartment, Near Kashish  
Apartment, Tisgaon Road,  
Manpada, Dist. Thane.

... Applicant

versus

1. The State of Maharashtra  
At the instance of Manpada Police Station.

2. XYZ (first informant)  
Through Manpada Police Station

... Respondents

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Ms Ekta Pawnikar, for the Applicant.

Mr Anand Shalgaonkar, APP, for Respondent / State.

Ms Divya Pawar, for Respondent No.2 (through Legal Aid).

IO WAPI Jagtap a/w PSI Kale (Pairavi), Manpada Police Station,  
Dombivali, is present.

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**Coram: R.N. Laddha, J.**

**Date: 25 June 2025**

**P.C.:**

By this application, the applicant seeks pre-arrest bail in connection with CR No.352 of 2025, registered at Manpada Police Station, Thane, for offences punishable under Sections 69 and 115(2) of the Bharatiya Nyaya Sanhita, 2023.

2. According to the prosecution, the informant/ victim and the applicant initially met in 2017, and exchanged their mobile phone numbers. Their relationship turned romantic in November 2023, during which the applicant persuaded the informant to engage in physical intimacy under the false promise of marriage. In May 2024, the applicant revealed their relationship to his family, which led to a dispute with his wife. After this, the applicant gradually began distancing himself from the informant. On 10 December 2024, he called her to Vadodara, Gujarat, where they argued over his phone conversation with his wife. During this argument, the applicant assaulted the informant. Upon returning to Mumbai, the applicant broke off all contact and, on 15 December 2024, withdrew his commitment to marry her. These developments led the informant to file the present FIR.

3. Ms Ekta Pawnikar, the learned Counsel appearing on behalf of the applicant, submits that both the applicant and the informant are consenting adults who were engaged in a consensual relationship. The informant was fully aware of the applicant's marital status since the inception. The learned Counsel further submits that there is a delay in lodging the FIR as the alleged incident occurred between 3 November 2023 and 13 December 2024, yet the crime was registered only on 4

April 2025. The applicant has no criminal antecedents and has been falsely implicated in the present crime. The applicant is ready to cooperate with the investigation and abide by any conditions this Court imposes if released on bail.

4. Mr Anand Shalgaonkar, the learned Additional Public Prosecutor representing respondent No.1/State, and Ms Divya Pawar, the learned Counsel appointed for respondent No.2/informant, jointly oppose the applicant's request for pre-arrest bail and contend that the applicant engaged in sexual relations with the informant under the false promise of marriage, thereby breaching her trust and exploiting the informant. The offence is of a grave nature. Despite the severity of the allegations, the learned APP fairly concedes that the investigation has concluded, except for the seizure of the applicant's mobile phone, and a charge sheet will be filed shortly.

5. Upon perusing the records, it transpires that both the applicant and the complainant are of legal age. They appear to have been involved in a consensual relationship which lasted from November 2023 to December 2024 until it turned sour on 15 December 2024. Notably, there is a delay in lodging the FIR. Moreover, the learned APP acknowledges that the investigation has concluded, and a charge sheet will be filed

shortly. To address concerns regarding potential tampering with evidence or witness influence, appropriate conditions can be imposed. In light of the above, this Court is inclined to exercise its discretion to grant pre-arrest bail to the applicant. Hence, the following order:

**ORDER**

- (i) In the event of the applicant's arrest in connection with CR No.352 of 2025, registered at Manpada Police Station, Thane, 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 as directed by the investigating officer and surrender his mobile phone.
- (iii) The applicant, himself or through any other person, shall not indulge in any activity that may tamper with the evidence or influence witnesses.

6. The application stands disposed of accordingly.

(R.N. Laddha, J.)