

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1316 OF 2025

TALASH SHANKARRAO CHAVAN

..... APPLICANT

VERSUS

STATE OF MAHARASHTRA & ANR.

..... RESPONDENTS

Adv. Vivek Salunkhe a/w. Adv. D. R. Shinde, Adv. Sidheshwar N. Biradar for the Applicant.

Ms. Supriya Kak, A.P.P. for the State.

Mr. Tukaram G. Joshi, A.P.I., Khadakpada Police Station.

CORAM : RAJESH S. PATIL, J.

DATE : 8th 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. 326/2025 dated 19th April, 2025 registered with Khadakpada Police Station, Thane City for the offence punishable under Sections 74, 75 of the Bharatiya Nyaya Sanhita, 2023.

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

3. The present applicant is 51 years of age and the victim girl is 12

years of age. It has been alleged in the complaint that on 12th February, 2025, the victim girl had been to the neighbour's flat which is owned by the applicant, to play with the applicant's son who is almost of the same age as that of the victim girl. At the relevant time, the mother of the victim girl who is a doctor by profession had been abroad for the purpose of higher studies. The father of the victim girl is officer of the MSEB and was not present at home. The victim girl was with her grandmother. It is the case of the prosecution that as the victim girl had been to the flat of the applicant, she enquired about the whereabouts of the son of the applicant by name Prithviraj. She was told by the applicant that the son of the applicant was sleeping in bed room, therefore, she sat on the sofa in the hall. It has been alleged that after some time, the present applicant caught the victim girl at her waist and kissed her on the lips. She pushed the applicant and ran away. Due to the fear, the victim girl did not disclose the incident to anybody. After few days, she narrated the whole incident to her school teacher, who told her to disclose the act of the present applicant to her parents. The first informant being the mother of the victim girl, came back to India, on 17th April, 2025 after the victim girl narrated the whole incident to her mother (the first informant), on

18th April, 2025 a complaint was lodged against the present applicant.

4. The only argument on behalf of the applicant for lodging a false complaint is that the mother of the victim girl, was interested in buying the flat, which was ultimately bought by the applicant. It has been argued before me that the subject flat was bought by the present applicant in the year 2017. The alleged incident as mentioned in the FIR according to the applicant has occurred on 12th February, 2025. If at all, it was retaliation action to the act of the applicant purchasing the subject flat, the subject flat was bought in the year 2017 and it cannot be accepted that after a period of roughly around eight years, a doctor by profession, through her daughter, would lodge a false complaint.

5. The Investigating Officer has to find out whether any other similar kind of offences are committed by the applicant. For the said purpose interrogation of the present applicant would be necessary.

6. Hence, according to me, no case is made out by the present applicant. **The present anticipatory bail application stands rejected.**

[RAJESH S. PATIL, J.]