

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

ANTICIPATORY BAIL APPLICATION NO.1349 OF 2025

XYZ ... Applicant
V/s.
The State of Maharashtra ... Respondent

**WITH
INTERIM APPLICATION NO.2762 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.1349 OF 2025**

Mr. Ganesh Gupta a/w Mr. Sahil Ghorpade, Mr. Surya P. Gupta, Ms. Roshni Naaz, Mr. Madan Khansole, Ms. Priyanka Rathod & Mr. Tushar Gaikwad i/by M/s. G.G Legal Associates for the Applicant.

Ms. M. M. Deshmukh, GP & PP a/w Mr. P. H. Gaikwad, APP for the Respondent-State.

Mr. Sachin Pawar for the Applicant in IA/2762/2025.

API Sunil Tarmale, HC Abhijit Gaikwad, Anti Extortion Cell, Crime Branch are present.

CORAM : N.R. BORKAR, J.
DATE : 22ND DECEMBER 2025

PC. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending her arrest in Crime No.1633 of 2024 registered with Kalwa Police Station for the offences punishable under Sections 3(5), 308(7), 61(2) of the Bharatiya Nyaya Sanhita, 2023.
3. The prosecution case in brief is that the complainant is posted as the Assistant Commissioner of Police at Kalwa Police Station, Thane. It is

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alleged that in July 2024, the complainant received a call from the present Applicant stating that she obtained his number from his gym and that she needed his help. The complainant, in response, told her to visit his office. However, the Applicant repeatedly contacted the complainant, insisting him to meet her outside, as well as there was a frequent exchange of formal messages between them on WhatsApp. Subsequently, upon the persistent requests of the Applicant, the complainant agreed to meet her at TFT Family Hotel. At that time, the Applicant told the complainant that she was a widow, educated till 8th Standard and requested him to provide her a job, which he refused. Further, the Applicant told him that her daughter is studying in college and requested to help her secure appropriate employment, which the complainant agreed. On 17th August 2024, while the complainant and his friend, Mr. Karle, were having refreshments at the complainant's flat, the Applicant requested to meet him. The complainant shared his address and called her to his flat. The complainant offered the Applicant some water and thereafter, she asked him whether he liked her and further questioned why he had not called her earlier, despite residing alone in that flat. The complainant doubted her intentions and asked her to leave. As such, the Applicant left within 5 to 7 minutes of arrival. Subsequently, on 07th October 2024, the Applicant filed a complaint against the complainant and said Karle, falsely alleging that they had committed forcible sexual intercourse with her on 17th August 2024. Subsequent to the filing of the said complaint, the complainant and said Karle received several calls from unknown persons, purportedly speaking on behalf of the Applicant. It is alleged that a demand of Rs.40,00,000/- was made for the purpose of settling the matter

and withdrawing the said complaint. Furthermore, the complainant was allegedly threatened that they would ruin his career if he failed to pay the said amount.

4. I have heard Learned Counsel for the Applicant, Learned PP for the Respondent-State and Learned Counsel for the Complainant-Intervenor.

5. Learned Counsel for the Applicant submits that on 17th August 2024, the Applicant was subjected to forcible sexual intercourse by the complainant and his friend at his flat, by mixing an intoxicating substance in her drink. It is submitted that consequently a complaint was filed against them by the Applicant. It is submitted that the present crime is thus nothing but a counterblast to the said complaint filed by the Applicant. The Learned Counsel for the Applicant submits that unless property is delivered pursuant to the threat, no offence of extortion can be said to be made out. In support of the said submission, Learned Counsel for the Applicant has placed reliance on the decision of the Hon'ble Supreme Court in the case of *Issac Isanga Musumba & Ors. Vs. State of Maharashtra*¹. It is submitted that nothing is to be recovered at the instance of the Applicant and therefore there is no need of custodial interrogation. It is thus submitted that the Applicant may be released on anticipatory bail.

6. On the other hand, Learned PP for the Respondent-State and Learned Counsel for the Intervenor submit that the Applicant is involved in a serious crime of extortion. It is submitted that the complainant

1 AIROnline 2013 SC 231

received multiple calls from local and international numbers, demanding Rs.40,00,000/-. It is submitted that the complainant was threatened that his career and reputation will be ruined, if he failed to pay the said amount. It is submitted that *modus-operandi* of the Applicant is to lure high ranking officials into her trap and then lodging false complaints against them alleging serious crimes and extorting exorbitant amounts from them for the purpose of withdrawing the said complaints. The Learned PP in support of her submissions has tendered a list of similar complaints of serious nature filed by the Applicant against various Police and Government officials, some of which were subsequently withdrawn on the basis of affidavits by the Applicant. It is submitted that the Applicant is involved in four crimes of a similar nature. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. Learned Counsel for the Applicant disputes the involvement of the Applicant in four more crimes of similar nature.

8. I have perused the material on record. *Prima facie* there appears to be substance in the submissions of the Learned PP that the *modus-operandi* of the Applicant is to lure the police and government officials into her trap and then extort money. The Learned PP submits that the Applicant is involved in four crimes of similar nature. Considering the overall facts and circumstances, I am not inclined to release the Applicant on anticipatory bail. Hence, the Anticipatory Bail Application is rejected.

9. The Interim Application for intervention stands disposed of.

10. Learned Counsel for the Applicant submits that to enable the Applicant to approach the Hon'ble Supreme Court against the present order, the interim order dated 23rd September 2025 passed by this Court protecting the Applicant from arrest be continued for a period of two weeks.

11. The request is opposed by Learned PP for the Respondent-State.

12. However, to enable the Applicant to approach the Hon'ble Supreme Court, the interim order dated 23rd September 2025 shall remain in force for a period of two weeks.

(N.R. BORKAR, J.)