

ARJUN
VITTHAL
KUDHEKAR

Digitally
signed by
ARJUN
VITTHAL
KUDHEKAR
Date:
2025.10.17
22:06:58
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1497 OF 2025

Pinal Hasmukh Makwana ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

WITH

ANTICIPATORY BAIL APPLICATION NO.1498 OF 2025

Ravindra Vilas Patil ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

Mr. Adwait Bhonde (Through Video Conferencing), for the Applicant in ABA/1497/2025.

Mr. Ashish Patankar (Through Video Conferencing), for the Applicant in ABA/1498/2025.

Mr. C. D. Mali, APP, for the Respondent-State.

Mr. Harshal Lohakare, for Respondent No.2 in both ABAs.

CORAM: MADHAV J. JAMDAR, J.

DATED: 14 OCTOBER 2025

PC:-

1. Heard Mr. Bhonde, learned Counsel appearing for the Applicant in Anticipatory Bail Application No.1497 of 2025, Mr. Patankar, learned Counsel appearing for the Applicant in Anticipatory Bail Application No.1498 of 2025, Mr. Mali, learned APP for the Respondent-State of Maharashtra and Mr. Lohakare, learned Counsel appearing for Respondent No.2.

2. By these Anticipatory Bail Applications filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicants are seeking pre-arrest bail in connection with CR No.15 of 2025 registered with the Sinhagad Road Police Station, Pune City, for the offences punishable under Sections 75, 3(5) and 352 of the *Bharatiya Nyaya Sanhita, 2023* (“**BNS**”), Sections 8 and 12 of the *Protection of Children from Sexual Offences Act, 2012* and Section 75 of the *Juvenile Justice (Care and Protection of Children) Act, 2015*.

3. The Applicant - Pinal Hasmukh Makwana is Accused No.2 and the Applicant - Ravindra Vilas Patil is Accused No.1 in said CR No.15 of 2025.

4. The Accused No.1 and Accused No.2 are living together in a relationship which is in the nature of marriage. The victim is the daughter of Accused No.1 and his ex-wife Meenal. Accused No.1 and Accused No.2 along with daughter i.e. victim were living together in Ahmedabad from April 2018 to March 2023. Thereafter, they shifted to Pune, Maharashtra. The victim thereafter left the company of the Accused No.1 and Accused No.2

and started living with her mother - Meenal. Thereafter, the victim lodged the subject crime.

5. As per the prosecution case, during the said period, Accused No.2 forced the victim to smoke and clicked her videos and photos from her mobile and the same were shown to the Accused No.1. The Accused No.1 therefore assaulted the victim.

6. It is the submission of Mr. Bhonde, learned Counsel for the Applicant that the FIR is lodged after a period of 5 years. He submits that the FIR has been lodged by the victim under the influence of her biological mother - Meenal. He submits that a learned Single Judge has granted interim protection by the Order dated 24th June 2025 and the Charge-sheet is already filed.

7. On the other hand, Mr. Mali, learned APP for the Respondent-State of Maharashtra and Mr. Lohakare, learned Counsel for Respondent No.2 strongly opposes the Anticipatory Bail Applications. Both of them submit that the offence is very serious and therefore the Applicants be not granted protection.

8. Perusal of the record shows that there is considerable delay in filing the FIR. In any case, the investigation is completed and the Charge-sheet is filed on 7th March 2025. A learned Single Judge has already granted interim protection by the Order dated 24th June 2025.

9. Accordingly, the case is made out for grant of anticipatory bail. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Pinal Hasmukh Makwana and the Applicant - Ravindra Vilas Patil in connection with CR No.15 of 2025 registered with the Sinhagad Road Police Station, Pune City, the Applicants be released on bail on their furnishing PR Bond in the sum of Rs.50,000/- each with one or two solvent sureties each in the like amount.
- (b) The Applicants shall attend the concerned Police Station twice in a month i.e. on the first and third Sunday of every month between 11:00 am and 01:00 pm and shall cooperate with the further investigation,

if any.

- (c) The Applicants shall furnish their cell phone numbers and residential addresses to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) 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.
- (e) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicants shall not leave India without prior permission of the Court.

10. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]