

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

Anticipatory Bail Application No.1849 of 2025

Mann Bharat Singh

Age: 20 yrs. Occ: student,

R/at Room No.6, Sawant Chawl,

MC Chagla Marg, Bank of Baroda

Society, Bamanwada, Vile Parle

East, Sahar P & T Colony, Mumbai-99. ... Applicant.

versus

1. The State of Maharashtra

Through Vile Parle Police Station.

2. XYZ

... Respondents.

Ms Snigdha Khandelwal i/by Ali Kaashif Khan Deshmukh for the applicant.

Mr Swapnil Walve, APP, for the respondent/ State.

Mr Shirish Ganpat Shigwan for respondent No.2.

API Satish Moe, Vile Parle Police Station.

Coram: R.N. Laddha, J.

Date: 9 July 2025

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.332 of 2025, registered at Vile Parle Police Station, Mumbai, for offences punishable under Section 79 of the Bharatiya Nyaya Sanhita, 2023, Section 12 of the Protection of Children from Sexual Offences Act, 2012, and

Section 67 of the Information Technology Act, 2000.

2. The prosecution alleges that on 31 May 2025, around 10:00 p.m., the victim accessed her Instagram account and encountered the applicant. After exchanging messages about his girlfriend, a dispute arose, prompting her to warn him that she would inform her mother if he continued to quarrel. In response, the applicant used offensive language to outrage her modesty.

3. At the outset, Ms Snigdha Khandelwal, the learned Counsel appearing for the applicant, and Mr Shirish Shigwan, the learned Counsel appearing on behalf of respondent No.2/ the informant, in unison submit that the incident arose from an immature and unguarded exchange over social media. The applicant and the victim are young adults, and the continuation of the proceedings would affect their academic pursuits. They further submit that the applicant did not intend to outrage the victim's modesty, and there exists no animosity between the parties. The learned Counsel for respondent No.2 also submits that respondent No.2 has no grievance against the applicant and consents to granting him pre-arrest bail. To this effect, the learned Counsel has placed on record respondent No.2's consent affidavit dated 8 July 2025.

4. Mr Swapnil Walve, the learned Additional Public Prosecutor representing respondent No.1/ State, submits that the offence is serious. However, the learned APP fairly acknowledges that the investigation is at an advanced stage, and nothing is to be recovered from the applicant except the mobile phone used in the incident.

5. Upon perusing the records, it appears that the allegations in the FIR stem from a conversation on a social media platform. The applicant is about 20 years old and a student of BMS, whereas the victim is about 14 years old. Notably, there is a delay in reporting the crime, as the alleged incident occurred on 31 May 2025 and the crime was lodged only on 2 June 2026. The learned APP concedes that the investigation has almost concluded, and apart from the applicant's mobile phone used in the incident, nothing remains to be recovered or discovered from him. The learned Counsel for the applicant submits that the applicant is ready to surrender his mobile phone used in the alleged incident. Furthermore, respondent No.2, who is identified by her Counsel, expresses no objection and consents to grant pre-arrest bail to the applicant. She also reiterates the contents of her consent affidavit dated 8 July 2025. In light of the peculiar circumstances, this Court is inclined to exercise its discretion in favour of the applicant.

Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in connection with CR No.332 of 2025, registered at Vile Parle Police Station, Mumbai, 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 on 11 July 2025 and 12 July 2025 between 11:00 a.m. and 2:00 p.m. and surrender his mobile phone, and cooperate with the investigation.

(iii) The applicant, himself or through any other person, shall not indulge in any activity that may tamper with the evidence or influence the witnesses.

(iv) The applicant, himself or through any other person, shall refrain from contacting the victim in any manner whatsoever.

6. The application stands disposed of accordingly.

(R.N. Laddha, J.)