

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

Anticipatory Bail Application No.1924 of 2025

Nasiruddin Allauddin Qureshi

Age: 43 yrs, Occ:Service

R/at C-1604, Diamond Plaza Bldg,

Near Samana Nagar, Bus Depot,

Gate No.8, Malwani, Malad(West),

Mumbai-400 095.

... Applicant.

Vs.

The State of Maharashtra

(At the instance of Malwani Police

Station, Mumbai, CR No.695/2025)

... Respondent.

Mr VS Tiwari, a/w Priti Tiwari, Priya Muthupandi, Seems Shukla for the applicant.

Mr Shahaji Shinde, Panel 'B' Counsel a/w Mr SS Pednekar, APP for the respondent / State.

Coram : R.N.Laddha, J.

Date : 15 July 2025.

P.C. :

The learned Counsel for the applicant submits that the relationship between the applicant and the informant was entirely consensual in nature. Both the applicant and the informant are married individuals, and they were fully aware of each other's marital status from the very inception

of their association. Their relationship, which continued over a substantial period, from October 2021 to June 2025, was characterised by mutual consent and voluntary participation. There is an inordinate and unexplained delay in the lodging of the present FIR, which casts serious doubts on the *bona fides* of the allegations. The informant, a mature and well educated woman approximately 38 years of age, is fully capable of understanding the nature, consequences, and implications for her actions. The nature of their relationship, as evident from the informant's own conduct, including frequent meetings, mutual communication, and joint travel, indicates that the association was consensual and developed over time with the voluntary participation of both parties. There is no material on record to suggest coercion, force on the part of the applicant and lack of consent by the informant at any stage of their relationship. Furthermore, the applicant had transferred substantial sums of money to the informant through online transactions during the course of their association. It is the applicant's claim that the informant continued to make financial demands, and upon the applicant's inability or refusal to meet those demands, the

present FIR has been lodged with malicious intent.

2. The learned Counsel further seeks leave to implead the first informant (XYZ) as party respondent to this application. Leave granted as prayed for. Necessary amendment shall be carried out within one week from today. After the amendment is carried out, issue notice to the respondent. The investigating officer to serve the notice.

3. By consent stand over to **12 August 2025**. In the meantime, the applicant shall attend the concerned police station on 21, 22 and 23 July 2025 between 11:00 a.m. and 2:00 p.m. and cooperate with the investigation. There shall not be any coercive action against the applicant in the present crime till the next date.

[R. N. Laddha, J.]