

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

**Anticipatory Bail Application No. 2129 of 2025**

Girish Kanayalal Hinduja

Hindu Adult, Aged about 33 years,

Occupation – Service,

Add : Flat No.407, Ratan Apartment,

Near Post Office, Ulhasnagar – 421 001.

Dist. Thane.

... Applicant

versus

1. The State of Maharashtra

Through P.I. of Shahapur Police Station.

2. XYZ (victim)

...Respondents

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Mr Ankesh Thakur i/b Mr Charanjit Penthalia, for the Applicant.

Mr S V Walve, for the Respondent / State.

Respondent No.2 is present in person.

PSI M V Masalekar, Shahapur Police Station, is present.

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**Coram: R.N. Laddha, J.**

**Date: 31 July 2025**

**P.C.:**

. Heard. Issue notice to respondent No.2. Respondent No.2 is present in person and seeks legal aid assistance. Ms Kanchan Pawar, who is present in the Court, is appointed as Advocate to espouse the cause of respondent No.2. Legal fees to be paid by

the High Court Legal Service Committee. Ms Pawar waives service. With the consent of the parties, the application is taken up finally for hearing.

2. The applicant apprehending arrest in connection with CR No.200 of 2025, registered at Shahapur Police Station, Thane Rural, for the offence punishable under Section 69 of the Bharatiya Nyaya Sanhita, 2023, has filed the present application seeking pre-arrest bail.

3. According to the prosecution, between 29 September 2024 and 19 February 2025, under the false pretext of marriage, the applicant engaged in physical relations with the informant. However, when the informant's divorce was finalised on 24 March 2025, the applicant reneged on his promise and avoided the victim.

4. The learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. He submits that both the applicant and the informant/victim are consulting adults who were engaged in a consensual relationship. The investigation is complete, and nothing is to be recovered from the applicant. The applicant is ready and willing to comply with the conditions imposed by this Court, including undergoing a

medical examination.

5. The learned Additional Public Prosecutor representing respondent No.1/ State, and the learned Counsel appointed for respondent No.2, jointly oppose the applicant's request for pre-arrest bail and contend that the offence is of a serious nature. They submit that the applicant engaged in forcible sexual relations with the informant under the false pretence of marriage, which constitutes a serious breach of trust and exploitation. The learned APP, however, acknowledges that the investigation has been concluded except for the medical examination of the applicant.

6. Upon perusing the records, it appears that both the applicant and the victim are of legal age and were involved in a consensual relationship. During the relevant time, the informant was married. Their relationship appears to have lasted from 29 September 2024 to 19 February 2025; however, the FIR was lodged only in July 2025. There appears to be a substantial delay in registering the crime. The learned APP acknowledges that the investigation has been concluded except for the medical examination of the applicant, and nothing is to be recovered or discovered from the applicant. To address concerns regarding tampering with the evidence or witness

influence, appropriate conditions can be imposed. In these circumstances, the present application is allowed in the following terms:

**ORDER**

- (i) In the event of the applicant's arrest in CR No.200 of 2025, registered at Shahapur Police Station, Thane Rural, 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 4, 5 and 6 August 2025 to undergo medical examination, and thereafter, as and when required by the investigating officer.
- (iii) The applicant, himself or through any other person, shall refrain from contacting the victim in any manner whatsoever.
- (iv) The applicant, either himself or through any other person, shall not indulge in any activities that may lead to evidence tampering or witness influence.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)