

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

Anticipatory Bail Application No.2169 of 2025

Swapnil Bobade S/o. Dhanaji Bobade

Age 21, Occ.: Worker,

R/o. Korti Road Takali Haddh,

Mahatma Fule Nagar,

Tal. Pandharpur,

Dist. Solapur – 413 304.

... Applicant

versus

The State of Maharashtra

(Through Pimpri Police Station)

...Respondent

Mr Kaustubh Patil, for the Applicant.

Mr S V Walve, APP, for Respondent / State.

PSI Chiranjiv Dalalwad, Pimpri Police Station, is present.

Coram : R.N. Laddha, J.

Date : 5 August 2025

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.117 of 2025, registered at Pimpri Police Station, Pimpri-Chinchwad, for offences punishable under Sections 61(2), 351(2), 308(2), 308(3) and 108 of the Bharatiya Nyaya Sanhita, 2023.

2. The present First Information Report (FIR) was lodged by the father of the deceased, Sujal, who was a student enrolled at

DY Patil College, Pimpri, and resided with his friends at Sant Tukaram Nagar. According to the prosecution, on 24 February 2025, certain friends of the deceased informed the complainant that Sujal had sustained grievous injuries in an accident and was admitted to Yashwantrao Chavan Memorial (YCM) Hospital, Pimpri. Upon reaching the hospital, the complainant found Sujal in an unconscious state and was informed that he had jumped from the Sant Tukaram Nagar metro station. The doctors subsequently declared Sujal deceased as a result of the injuries sustained.

3. On 27 February 2025, a relative of the complainant, one Mangesh, apprised him that Sujal's death was not accidental in nature, but rather a consequence of sustained blackmail and extortion. This assertion was further corroborated by Archana (the complainant's cousin) and Pawan (his nephew), who stated that Sujal had borrowed money from them, thereby indicating financial distress. Upon deeper inquiry, including interactions with Sujal's acquaintances, the complainant came to learn that the co-accused had lured Sujal to a premises known as 'Sneh Bungalow' via a social networking application named 'Grindr Gay.' There, Sujal was coerced into a compromising situation with one Sandeep Rokade, during which obscene video recordings were clandestinely made. These recordings were

then used as leverage by the co-accused to extort a sum of Rs.50,000/- from Sujal under the threat of publishing the footage on social media platforms.

4. Owing to such intimidation, Sujal procured and paid Rs.35,000/- to the accused individuals by borrowing funds from friends and relatives. However, the demands for further money continued unabated, subjecting Sujal to unbearable mental harassment and psychological distress. As a direct and proximate result of such sustained coercion and criminal intimidation, Sujal committed suicide by jumping from the metro station on 24 February 2025.

5. Mr Kaustubh Patil, 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 the FIR is vague and devoid of specific allegations attributing any direct role to the applicant. It is further contended that the applicant has not been named in the FIR and that he suffers from a physical disability which precludes any active participation in the alleged criminal acts. The learned counsel also asserts that there exists no nexus between the applicant and the commission of the alleged offence. Furthermore, he argues that there is nothing to be

recovered or discovered from the applicant, and the applicant poses no risk of fleeing justice. The applicant is ready and willing to abide by any conditions this Court imposes.

6. On the other hand, Mr SV Walve, the learned Additional Public Prosecutor representing the respondent/ State, vehemently opposes the applicant's request for pre-arrest bail and contends that the offence is grave and serious, involving extortion, criminal intimidation, and abetment of suicide. He submits that ongoing investigation has unearthed evidence indicating that the applicant is not merely peripherally involved but is in fact the key conspirator behind the commission of the crime and the beneficiary of the extorted funds. The learned APP points out that the applicant's presence is visibly established in the video footage retrieved from the mobile device of one of the co-accused. The applicant's actions directly and proximately led the deceased to commit suicide. The learned APP further submits that the applicant became disabled after the incident, and since the filing of the FIR, the applicant has been evading investigation. The investigation is ongoing, and if the applicant is released on pre-arrest bail, he may tamper with the evidence or influence witnesses.

7. This Court has given anxious consideration to the rival

contentions and perused the records.

8. It is a settled position in law that the power to grant anticipatory bail is extraordinary and must be used with caution and discretion, based on the specific facts of each case. Unlike regular bail, it cannot be treated as a general rule. Courts must avoid a one-size-fits-all approach, as granting such pre-arrest bail in serious cases may affect the investigation. These aspects are also highlighted in the decision of the Hon'ble Supreme Court in *Srikant Upadhyay & Ors. Vs State of Bihar & Anr.*, 2024 SCC OnLine SC 282.

9. In the present case, the prosecution contends that the deceased, Sujal, driven to an extreme mental and emotional state due to persistent threats, coercive conduct, psychological trauma, and acts of blackmail allegedly perpetrated by the applicant and the co-accused, ultimately resorted to taking his own life by jumping from a metro station. Though he was promptly admitted to a hospital, he subsequently succumbed to the injuries sustained in the incident. While the applicant was not named initially in the FIR, his involvement came to light during the course of further investigation. A bare reading of the records, particularly the video seizure panchanama dated 22 April 2025, it *prima facie* emerges that both the applicant and

the co-accused subjected the deceased to acts of gross indignity and violence. The video footage reveals that the deceased was forcibly made to sit in a naked condition on a bed, during which the applicant issued explicit threats to disseminate the obscene video on social media platforms, coupled with monetary demands. The demeanour and condition of the deceased in the said video clearly suggest that he was under severe duress, fear, and psychological pressure. Furthermore, the bank statements of the co-accused disclose that a substantial portion of the extorted money was transferred, during the relevant period, directly into the applicant's bank account. This financial trail strengthens the prosecution's contention regarding the applicant's active and proximate involvement in the criminal conspiracy and the acts of extortion and intimidation that are alleged to have directly precipitated the suicide. Moreover, the deceased, who was residing away from his parental home, and was a fellow student at the same educational institution as the applicant, may have lacked sufficient emotional and social support during his ordeal. The psychological toll of sustained harassment, both physical and mental, combined with the imminent threat of public defamation, could reasonably be inferred as contributing factors to his tragic decision.

10. The investigation is at a nascent stage. The likelihood of the applicant tampering with material evidence or exerting undue influence over witnesses cannot be ruled out at this juncture. Granting bail at this stage would pose a serious impediment to the ongoing investigation and adversely affect the interests of justice.

11. Having regard to the totality of circumstances, and in light of the serious and grave nature of the allegations, this Court is not inclined to exercise its discretionary powers in favour of the applicant. As a result, the application stands rejected.

(R.N. Laddha, J.)