

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

ANTICIPATORY BAIL APPLICATION NO. 2668 OF 2025

Sunil Narayan Anare

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Aniket Nikam, a/w Mr. Amit Icham, a.w Adv. Abhilasha Pawar,
Advocate for the Applicant.

Mr. P. H. Gaikwad, APP for the Respondent/State.

Mr. Jagdishprasad. C. N. a/w Kunal Motwani a.w Adv. Bhagyashree
Khandeparkar I.b Mr. Sudhir Lambhate, Advocate for the
Intervener/Informant.

CORAM : N.R. BORKAR, J.
DATE : 29.09.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 603 of 2025 registered at Wagle Estate Police Station, for the offences punishable under Sections 69 of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that the applicant and the first informant got acquainted through a matrimonial site in 2024. Thereafter, through multiple telephonic conversations as

well as meetings, a love relationship developed between them. According to the first informant, the present applicant promised to marry her. It is alleged that on 01.12.2024, the applicant called the first informant at Four Points Sheraton Hotel, Navi Mumbai. It is alleged that the applicant took her to the said hotel and committed forcible sexual intercourse with the first informant under the pretext that he would marry her. There are similar allegations regarding incidents which took place on 25.12.2024 and 15.02.2025. Thereafter, upon insistence by the first informant to get married as promised by the applicant, the applicant refused to marry her. While stating that he never intended to marry her.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the first informant.

5. The learned counsel for the applicant submits that the alleged relationship between the applicant and the first informant was consensual. It is submitted that the learned counsel for the applicant has drawn my attention to the WhatsApp messages between the present applicant and the first informant. It is

submitted that these messages indicate that the applicant had explained to the first informant that he was only looking for companionship and had also explicitly explained the meaning of companionship to the first informant, to which she had agreed. It is submitted that there is no need of custodial interrogation and that the applicant is ready to co-operate in the investigation.

6. On the other hand, the learned APP for the respondent-State and the learned counsel for the first informant submit that since inception the intent of the applicant was to establish physical relationship with the first informant on the false pretext of marriage. The learned counsel for the first informant submits that the applicant may abscond if released on anticipatory bail. It is submitted that considering the nature of crime the applicant may not be released on anticipatory bail.

7. I have perused the WhatsApp messages placed on record. Prima-facie, there appears to be substance in the submission of the learned counsel for the applicant. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 603 of 2025 registered at Wagle Estate Police Station, for the offences punishable under Sections 69 of the Bharatiya Nyaya Sanhita, 2023. The applicant be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.
- d) The applicant shall deposit his passport with the concerned police station.

[N.R.BORKAR, J.]