

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2939 OF 2025

Umesh Arun Sahane	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.2651 OF 2025

Jalinder Ramchandra Badade	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Ms. Sabiha Ansari a/w. Ms. Tanvi Rane i/b. Hulyalkar & Associates,
for the Applicant in ABA/2939/2025.
Mr. Aadesh Konde Deshmukh a/w. Mr. Sainath S. Garade and Ms.
Shruti P. Pokale, for the Applicant in ABA/2651/2025.
Mr. S. A. Karmakar, APP, for the Respondent-State.
Mr. Gajanan Jadhav, API, attached to Samarth Police Station, Pune
City, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 17th DECEMBER 2025

PC:-

1. Heard Ms. Ansari, learned Counsel appearing for the Applicant in Anticipatory Bail Application No.2939 of 2025, Mr. Konde Deshmukh, learned Counsel appearing for the Applicant in Anticipatory Bail Application No.2651 of 2025 and Mr. Karmakar, learned APP appearing for the Respondent-State.

2. These applications are filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.68 of 2025 registered with Samarth Police Station, Pune, for the offences punishable under Sections 64(1), 64(2)(m), 74, 75(2), 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in paragraph Nos.2 to 13 of the order dated 14th August 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.2719 of 2025 filed by the Applicant-Jalinder Ramchandra Badade (accused No.3), which reads as under:

“2] It is alleged that the complainant is 27 years old. She is originally resident of Bhutan. She has no relatives. Her father is a Monk in Monastery, Tibet. But she was not having any talk with her father. Complainant in her statement dated 06/04/2024 stated that around 5 years ago in 2020 she took a train from Bodh Gaya, came to Pune for exploring and searching for job. She met Rushikesh Nawale. He took her to his friend’s house and took her to Red House Foundation, Nana Peth, Pune for job. He introduced her to Shantanu Kukade saying that he will look after for job and living. They referred her to a PG. It is stated that after some days Shantanu Kukade took her to his flat No.102, Ashish Corner. She started residing there. Shantanu Kukade was taking care of all her living expenses. He used to visit in between for work and residence and also bring his friends for party that’s why she came to know the names of his friends of Pratik Shinde, Vipin Bidkar, Rushikesh Nawale, Jalinder Badade, Sagar Rasge. Around 5 years ago when she was living in flat

No.102, Rushikesh Nawale came there, had forcible sexual intercourse with her against her will and threatened to kill her in case she disclosed the incident to anybody. Around 01 year ago Shantanu Kukade took her to his bungalow at Raigad along with his friend. Everyone was drinking and forced her to dance. At night when she was sleeping on the sofa Jalinder Badade came on to and forcefully had sex with her. He also threatened to kill her in case she disclosed the incident to anybody.

3] It is stated that around November Shantanu Kukade kept a party in an opposite flat. Umesh Shahane also came there. He took her in a room and forcefully had sex with her without her consent. He threatened to harm her in case she disclosed the incident to anybody.

4] It is stated that before Christmas in 2024 Mudassir Memon came to her house in Ashish Corner. He saw that she was alone in the house, came close to her, touched to her chest and backside, tried to pull her closer when she resisted he left the place. After that around Christmas in 2024 Shantanu Kukade took her to his hotel Royal Pingara, Panshet along with his friends for party. After that party Pratik Shinde forcefully took her to a hotel room, had sex with her against her will. He also threatened her not to disclose the incident otherwise he will kill her.

5] It is stated that around January 2025 Shantanu Kukade had kept a party in the flat opposite to her house where two girls were living. In that party Sagar Rasge and Vipin Bidkar were going on to her. They both touched her chest backside with sexual intent. Vipin Bidkar took her to a room and had sex with her against her will. Later in the same party Sagar Rasge also took her to a room. He locked the door and forcefully had sex with her. He also threatened to kill her in case she disclosed the incident to anybody.

6] It is stated that around 3-4 months Avinash Suryawanshi and Rushikesh Nawale came to his house at 10.00 p.m. Avinash tried to come close to her, touched to her chest and down there near Vagina. She started yelling. Both of them went away. It is stated that Shantanu Kukade had looked after her living and needs since she came to Pune. They had sexual relations with mutual consent though out all these years.

7] Thereafter, complainant has given her supplementary statement on 28/04/2025. In her supplementary statement she stated that after the complaint she was taken to Government Observation Home, Mudhawa. She stated that around 5 years ago she had gone to Bodh Gaya at that time she contacted her Facebook friend Manoj Pincha on his mobile and inquired about any job opportunities. Manoj Pincha called her to Pune. She came to Pune. Manoj Pincha took her in a hotel for residence. On that date he gave her a dress, asked her to dance. The dress was so transparent therefore, she refused to wear it and dance. Manoj Pincha said to her that if she want to work in Pune she has to wear such dress and has to dance. Manoj Pincha grabbed her, stuck her tightly, touched her backside and down there with sexual intent. When she refused, he left the hotel. She resided in the hotel for around 3-2 days. After that Manoj Pincha introduced her to Rushikesh Nawale.

8] It is stated that after some days Rushikesh Nawale and his two unknown friends would drink, forced her to drink and dance for them. After that they would come one by one and take turn to have forceful sexual intercourse with her. They would have come to visit her around 5-6 times. Manoj Pincha came to visit her once. She told Manoj Pincha about sexual assault on her at the hands of Rushikesh Nawale and his two friends but he did not do anything nor helped her and just left.

9] Thereafter, Rushikesh Nawale introduced her to Shantanu Kukade. He assured her to give job, took her to woman hostel, used to visit there. Thereafter, Shantanu Kukade took her in a Red House Foundation, Nana Peth, Pune. Shantanu Kukade asked her to have sex with him, when she refused Shantanu Kukade said if you don't want to do as he said then to pack her bag and go to Bhutan. She was alone, she could not leave, then Shantanu Kukade forced her to do body massage, to shower him.

10] It is stated that after that Shantanu Kukade and his two friends came in Red House Foundation. They were fully drunk, forced her to drink and dance for them. Shantanu Kukade took her in a room asked her to drink and asked her to sleep alone. He pushed her on bed, removed her clothes, had forceful intercourse with her. She tried a lot and tried to tell Shantanu Kukade about what happened but he did not listen. After that Shantanu Kukade, his two friends came there, started touching her. Shantanu Kukade took her to different place i.e. Flat No.102, Ashish Corner. He used to visit every night. He used to sleep with her, used to have forceful intercourse with her, when she was not comfortable with him he became very angry, started abusing her, saying her very bad things and said her as a witch, abused her and spit on her.

11] It is stated that again before Christmas Shantanu Kukade arranged a party. They all forced her to drink and dance. Sagar Rasge forcefully took her in a room had forceful sexual intercourse with her then he went out, locked the door from outside. Umesh Shahane came there, had forceful intercourse with her, threatened her, beat her. Thereafter, Vipin Bidkar came in the room he also had forceful sexual intercourse with her from backside of her body and also from front side and also beat her. Shantanu Kukade forced her to smoke from Hukka, gave her some powder, some liquid to consume after that she feel very dizzy and sleep. Shantanu Kukade and

Rushikesh Nawale would gave her some coloured medicine.

12] It is stated that thereafter, on one day Shantanu

Kukade took her along with other girls and men for dinner. After that they came to Red House Foundation ponytail guy had forcibly removed her clothes, committed forceful sexual intercourse with her from backside, also threatened her in case she disclosed the incident to anybody.

13] Thereafter, one lady used to come to visit Shantanu Kukade frequently. Her daughter had a fight with her. That lady threatened her after she lodged complaint against Shantanu Kukade. Monir Mirza came to her house and threatened her by saying that he and his men will throw her out of the house because of his Boss Shantanu Kukade is in trouble. On the basis of her first complaint dated 07/04/2025 the above mentioned crime came to be registered against all the accused.”

4. It is the submission of Ms. Ansari, learned Counsel and Mr. Konde-Deshmukh, learned Counsel that the Applicants are not involved in the crime and the relationship, if any, is consensual. It is submitted that the FIR has been lodged on 8th April 2025 and the allegations are that from the year 2020 to year 2025, the First Informant has participated in various parties where she was forced to drink liquor and thereafter, she has been sexually assaulted. It is submitted that the false FIR has been filed and in any case, the

custodial interrogation is not necessary as the charge-sheet is already filed.

5. On the other hand, Mr. Karmakar, learned APP appearing for the Respondent-State submits that the offence is very serious where the First Informant has been sexually assaulted. He submits that there are total 11 accused, 9 accused have been arrested and 3 accused have been released on bail. Therefore, learned APP submits that the Anticipatory Bail Applications be rejected.

6. Perusal of the record shows that as the charge-sheet is filed, the investigation is almost completed. The Applicants have been granted interim protection by this Court which continues till date.

7. Accordingly, the case is made out for grant of Anticipatory Bail by imposing certain conditions. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicant-Umesh Arun Sahane (in Anticipatory Bail Application No.2939 of 2025) and the Applicant-Jalinder Ramchandra Badade (in Anticipatory Bail Application No.2651 of 2025) in

connection with C.R. No.68 of 2025 registered with Samarth Police Station, Pune City, Pune, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.50,000/- each with one or two solvent sureties each in the like amount.

- (b) The Applicants shall attend Samarth Police Station, Pune City, Pune, on every Sunday between 11:00 a.m. to 01:00 p.m. till conclusion of the trial. In addition, the Applicants shall attend the concerned Police Station as and when called. The Applicants shall co-operate with the investigation.
- (c) The Applicants shall furnish their cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the

Complainant or any witness in any manner.

(f) The Applicants shall not leave India without prior permission of the Court.

8. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]

Note: This order is corrected as per order dated 23rd December 2025.

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