

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3075 OF 2025

Muskan R. Khan ...Applicant
V/s.
The State of Maharashtra ...Respondent.

WITH
ANTICIPATORY BAIL APPLICATION NO. 3076 OF 2025

Swaroop N. Nagpal ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr. Sanjay R. Haritwal for the Applicants.
Ms. A.A. Deshmukh, APP for the Respondent/State in ABA/3075/25.
Mr. B. V. Holambe Patil, APP for the Respondent/State in
ABA/3076/25.
PI Avinash Khandare and IO PI Londe are present.

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CORAM : N.R. BORKAR, J.
DATE : 11.11.2025.

P.C. :

1. Both these applications filed for anticipatory bail are arising out of one and the same crime. They are thus being disposed of by this common order.

2. The applicants are apprehending their arrest in Crime No.145 of 2025 registered at Aarey Sub-Police Station for the offences punishable under Sections 110, 115(2), 118(1), 351(3) of the Bharatiya Nayaya Sanhita, 2023 and Sections 75 and 79 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

3. It is the case of the prosecution that the first informant resides in the same housing society where the victim aged 13 years, resides along with the applicants as a Caretaker of their 4 dogs. On the date of incident which took place on 4th September 2025, at about 12 pm the victim approached the first informant in a distressed state. The victim alleged that the applicant Swaroop Nagpal had assaulted her with a stick and hands, as well as he stood on her back while she had fallen down due to the assault. The said incident is alleged to have occurred on account of refusal by the victim to do applicants' works, which infuriated them. The first informant observed and inquired about the victim's bleeding hand, to which she told her that the applicant's dog had bitten her. The victim has alleged that the applicants often assault her. The allegations against the present applicants are of ignoring the several complaints of dog bite made by her thereby endangering the health of the victim.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. Learned counsel for the applicants submits that with ulterior motive false allegations are made against the applicants. Learned counsel for the applicants, on instructions, submits that the applicants, without prejudice to their rights and contentions, are willing to deposit a sum of Rs.10 lakhs for the education and other needs of the victim. It is submitted that there are no other criminal antecedents against the applicants. It is submitted that

there is no need of custodial interrogation and the applicants are willing to cooperate in the investigation.

6. On the other hand, learned APP for the respondent/State submits that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. Though no leniency can be shown in a crime like this, however, there are no other criminal antecedents against the applicants. According to the learned counsel for the applicants, the applicants are students. There appears to be no need of custodial interrogation. Considering the overall facts and circumstances, I am inclined to release the applicants on anticipatory bail. In the result, the following order is passed.

ORDER

A) The Applications are allowed.

B) In the event of arrest of the applicants in C.R. No.145 of 2025 registered at Aarey Sub-Police Station for the offences punishable under Sections 110, 115(2), 118(1), 351(3) of the Bharatiya Nayaya Sanhita, 2023 and Sections 75 and 79 of the Juvenile Justice (Care and Protection of Children) Act, 2015, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one surety or two sureties in the like amount, subject to deposit of Rs.10,00,000/- (Rupees Ten Lakhs) by the applicants in the Fixed Deposit Receipt with the State Bank of India Andheri

branch, in the name of victim for a period of five years within a period of four weeks from today.

8. The Applications are disposed of in the aforesaid terms.
9. List the applications under the caption ***“for compliance on 15th December 2025”***.

[N.R.BORKAR, J.]