IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3234 OF 2025

Hariram Vithoba Kadam …Applicant
Versus
The State of Maharashtra …Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.3236 OF 2025

Vishal Shashikant Jadhav …Applicant
Versus
The State of Maharashtra …Respondent

Mr. Sarthak S. Diwan, for the Applicants.
Mr. A. R. Metkari, APP, for the Respondent-State.
Mr. Ganesh Dnyanoba Bhosale, ASI, attached to Bharati Vidyapeeth Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 25th NOVEMBER 2025

PC:-

1. Heard Mr. Diwan, learned Counsel appearing for the Applicants and Mr. Metkari, learned APP appearing for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in

connection with C.R. No.263 of 2025 registered with Bharati Vidyapeeth Police Station, Pune, for the offences punishable under Sections 309(6), 305, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The Applicant-Hariram Vithoba Kadam in Anticipatory Bail Application No.3234 of 2025 is accused No.2 and the Applicant-Vishal Shashikant Jadhav in Anticipatory Bail Application No.3236 of 2025 is accused No.4. The accused No.2 is the father of the accused No.1- Priyanka Anil Shelake and accused No.4 is family friend. The prosecution case is set out in the order dated 8th August 2025 passed by a learned Single Judge (Coram: R. N. Laddha, J.), in Anticipatory Bail Application No.2210 of 2025, by which pre-arrest bail has been granted to the accused No.1-Priyanka Anil Shelake. The said paragraph No.2 reads as under:

> "*2. According to the prosecution, the informant and the applicant had been in a live-in relationship for approximately four years. On 27 May 2025, the applicant's father telephonically contacted the informant, shared a specific location, and requested his presence there. Upon the informant's arrival at the said location, the father of the applicant along with others, forcibly confined the informant in a room and physically assaulted him. During the said incident, one of the assailants unlawfully took*

> *possession of the informant's mobile phone and, without his consent, transferred an amount of Rs.35,000/- via PhonePe to the applicant. The accused persons further issued threats, demanding an additional sum of money. Under such duress, the informant contacted his sister, Madhuri, and requested Rs.50,000/-, which upon receipt was also transferred via PhonePe to the applicant. In addition, the accused persons misappropriated a sum of Rs.42,000/- from the informant's bag. Subsequently, they coerced the informant to pay an amount of Rs.5,50,000/-, subjecting him to further physical assault. The accused persons also issued threats to falsely implicate the informant in a rape case. Furthermore, it is alleged that the accused unlawfully obtained the keys to the informant's residence, entered his room without permission, compelled him to sign blank cheques and took away his laptop along with the bag containing his academic documents.*"

4. It is the submission of Mr. Diwan, learned Counsel appearing for the Applicants that the present FIR is filed malafidely as counterblast to the FIR filed by the accused No.1 being FIR No.261 of 2025. Learned Counsel submits that there are no specific allegations against the Applicants. He submits that there was monetary transactions between the accused No.1 and the First Informant. He submits that accused No.1 and the First Informant were living in living relationship and as the certain dispute started between them, false FIR is filed. He submits that the Applicant -

Hariram Vithoba Kadam has suffered heart attack and has undergone angioplasty.

5. On the other hand, Mr. Metkari, learned APP strongly opposes the Anticipatory Bail Applications. He submits that the allegations are very serious and therefore, the Anticipatory Bail Applications be rejected.

6. Perusal of the record shows that the accused No.1-Priyanka Anil Shelake and the First Informant were living in living relationship from 2021 till 27th May 2025. As some dispute arose between them, earlier C.R. No.261 of 2025 has been registered with Bharati Vidyapeeth Police Station, Pune and thereafter, the subject FIR has been lodged being C.R. No.263 of 2025 with Bharati Vidyapeeth Police Station, Pune after a period of one hour after the registration of the earlier FIR by the accused No.1 against the First Informant.

7. In any case, in the facts and circumstances, the custodial interrogation of the Applicants is not necessary. There are no antecedents against the Applicants.

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

O R D E R

(a) In the event of arrest of the Applicant-Hariram Vithoba Kadam in Anticipatory Bail Application No.3234 of 2025 and the Applicant-Vishal Shashikant Jadhav in Anticipatory Bail Application No.3236 of 2025 in connection with C.R. No.263 of 2025 registered with the Bharati Vidyapeeth Police Station, Pune, the Applicants are directed to be released on bail on their furnishing P.R. Bond in the sum of Rs.15,000/- each with one or two solvent sureties each in the like amount.

(b) The Applicants shall attend the Bharati Vidyapeeth Police Station, Pune, on 1st December 2025 and 2nd December 2025 between 11:00 a.m. to 02:00 p.m. and thereafter as and when called by the Investigating Officer and shall cooperate 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.

9. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]

SONALI MILIND PATIL

Digitally signed by SONALI MILIND PATIL
Date: 2025.11.25 19:18:08 +0530