

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

ANTICIPATORY BAIL APPLICATION NO. 3423 OF 2025

Dawood Yousuf Dar

...Applicant

Versus

State of Maharashtra and Another

...Respondents

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Mr. Prasanna K. Shahane, for the Applicant.

Mr. S.A. Karmarkar, APP for State-Respondent

Mr. Kashinath Jadhav, Koregaon Park Police Station

CORAM: MADHAV J. JAMDAR, J.

DATED: 12 DECEMBER 2025

P.C.:

1. Heard, Mr. Shahane, learned Counsel appearing for the Applicant and Mr. Karmakar, learned APP for the State.
2. By the present Anticipatory Bail Application filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking pre-arrest bail in connection with Crime No. 42 of 2024, registered on 17th March 2004 with Koregaon Park Police Station, Pune City under Section 376(2),(N), 354(A)(1)(1), 506 of Indian Penal Code, 1986 ("IPC").
3. It is the Prosecution case that the Applicant had sexually assaulted the First Informant by threatening that her photographs would be made viral.
4. It is the submission of Mr. Shahane, learned Counsel, appearing

for the Applicant that prosecution case is totally false and Applicant and First Informant were in consensual relationship. He submits that the Applicant is a Muslim and the First Informant is a Hindu and therefore, parents and relatives of the First Informant pressurised the First Informant to file the F.I.R. as they opposed the marriage between them and at that time the First Informant was confined to her home and was not allowed to speak freely. To support his submission, he pointed out the statement of the First Informant dated 23rd June 2025 (Pages 153-155).

5. Mr. Karmakar, learned APP states that appropriate order be passed in the facts and circumstances.

6. Perusal of the record shows that prima facie a totally false F.I.R. has been lodged by the police, although, the First Informant had told the police as well as to the Doctors that the Applicant is not involved in the crime. In fact, the First Informant in her statement dated 23rd June, 2025 has specifically stated that the relationship was consensual and as a result of a conscious decision made by two Adults. It is further stated that when the parents and relatives of the First Informant learnt about relationship between the Applicant and the First Informant they strongly opposed the same, as the First Informant and the Applicant belong to different religions and that under the pressure of the family members and due to the threats given by them the First Informant was

taken to the police station and forced to sign the F.I.R. that was already drafted. She has submitted that she was repeatedly telling the family members, the Police and the Doctors that no sexual assault has been committed, however, the Doctors also prepared false medical report. In the said statement the First Informant has *inter alia* stated as follows:

“ My medical examination was conducted without my proper consent Despite repeatedly telling my family, the police and the doctor that I had not been raped, a false medical report was prepared. Later, when I was summoned by the court to give my statement under section 164 CrPC, my family falsely informed the police that I was sick and mentally unstable, while I was confined at my home and was not allowed to speak freely. I have been wrongly labelled as a rape victim.”

7. The allegations of the First Informant in the said complaint dated 23rd June 2025 are very serious. Prima-facie the FIR lodged is false FIR.

8. Thus, in the facts and circumstances, case is made for grant of Anticipatory Bail. In view there following order is passed :

ORDER

(a) In the event of arrest of the Applicant – Mr. Dawood Yusuf Dar in connection with C.R. No.42 of 2024 registered with the Koregaon Park Police Station, Pune City, District-Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall cooperate with the investigation.

(c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]