

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3526 OF 2025

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
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Sandeep Sudhakar Kedare
Versus
State of Maharashtra

...Applicant

...Respondent

Mr. Rameshwar N. Gite a/w Mr. Sandesh S. Shinde and Pratiksha Shelke, for Applicant.

Ms. R.V. Newton, APP for the State.

PC, P.P. Kabade, Upnagar Police Station, Nashik City present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 22nd December 2025

P.C.:

1. Heard Mr. Gite, learned Counsel appearing for the Applicant and Ms. Newton, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking pre-arrest bail in connection with C.R. No.491 of 2025 registered with Upnagar Police Station, Nashik City, for the offences punishable under Sections 64, 75, 318(4), 316(2) of the Bharatiya Nyaya Sanhita, 2023 ("BNS").

3. Mr. Gite, learned Counsel for the Applicant submits that in the facts and circumstances, the Applicant is entitled for anticipatory bail.

4. On the other hand, Ms. Newton, learned APP strongly opposes the Application. Learned APP submits that the offence is serious.

5. The prosecution case is set out in paragraphs 6 and 7 by the learned Additional Sessions Judge, Nashik Road in the Order dated 4th December 2025, which reads as under:-

“6. As per FIR, the informant-victim is a teacher. The accused has taken the phone number of the victim after a parents meeting under the garb of taking stationery from the shop of her husband. Repeatedly following her, sending messages. On 20/09/2017, he called the victim in the Hotel Raj Residency and forcibly had physical relations. The accused has taken rupees 2 Lakh cash from the victim and also gold bangles, weighing 5 tola.

6. On perusal of material on record, prima facie it appears that the victim and accused had physical intimacy since the year 2017. In these premises, it is hard to digest that he had forcible physical relations with the victim. But at the same time, there is also an allegation of taking gold ornaments and cash amount from the victim under the garb of marriage. Also, allegations of making viral the photos and videos. It is also pertinent to note that there are other complaints against the accused regarding the cheating against the

present applicant. In these premises, the custodial interrogation is necessary for logical end of the case. Granting anticipatory bail would amount to entering into the sphere of investigation. The investigation is still going on, the charge-sheet is not filed. The applicant is not entitled for relief claimed. Hence, the following order is passed.”

7. Perusal of the F.I.R. lodged by the First Informant shows that the First Informant and the Applicant both are married and they are in consensual relationship since 2017. Thus, in the facts and circumstances, case is made out for grant of pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant - Sandeep Sudhakar Kedare be released on bail in C.R. No.491 of 2025 registered with Upnagar Police Station, Nashik City, on executing P.R. bond of Rs.25,000/- and furnishing one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station on 29th December 2025 and 30th December 2025 between 11.00 a.m. to 2.00 p.m. and thereafter

as and when called by the Police and shall co-operate with the investigation.

(iii) 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.

(iv) The Applicant 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.

(v) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

8. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)