



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 488 OF 2025

Shri Sachin s/o Jagadish Jumade Vs The State of Maharashtra and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.S. Band, counsel for applicant.

Mr. N.B. Jawade, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 12/08/2025.

1. Heard.
2. Apprehending arrest at the hands of police in connection with Crime No.452/2025 registered with Police Station Khaparkheda, Nagpur, District Nagpur for the offence punishable under Sections 75(2), 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.
3. The learned counsel for the applicant submitted that the crime is registered on the basis of a report lodged by the victim girl, who is aged about 24 years, on an allegation that she received obscene messages from the mobile phone of the present applicant. Therefore, she disclosed the said incident to the wife of the present applicant, and the present applicant came in front of her house and abused her. He submitted that the said messages were not sent by the

present applicant. Now, mobile phone is already produced before the Investigating Officer, his custodial interrogation is not required.

4. Learned APP strongly opposed for the same and submitted that considering the obscenity of the messages, the prayer for grant of anticipatory bail deserves to be rejected.

5. On hearing both sides and on perusal of the recitals of the FIR, it reveals that the allegation against the present applicant is to the extent of he used the obscene words and sent the obscene messages. The applicant has disclosed that the said messages were not sent by him but by his younger son. As far as his custodial interrogation is concerned, which is not required, as mobile phone is already produced by him before the Investigating Officer. There is no complaint of non-cooperation by the present applicant, in view of that, the ad-interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

ORDER

- a] The ad-interim protection granted to the present applicant by order dated 07/07/2025 is hereby confirmed on the condition that the applicant shall attend the concerned police as and when required for the investigation

purpose on issuance of the notice in advance of three days.

- b] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]