



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

CRIMINAL APPLICATION (APPLN) NO.82/2025
(Samruddhi Sunil Dipte Vs. State of Maharashtra and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Y.P. Bhelande, Advocate for the applicant.
Mr. N.R. Rode, A.P.P for the non-applicant No.1/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.
DATED: 17.12.2025.

The applicant, who is victim, has filed this application for cancellation of bail. She has lodged the complaint and the offence i.e. Crime No.309/2025 for the offence punishable under Sections 74, 308(2), 352 and 351(2) of the Bhartiya Nyaya Sanhita is registered against the non-applicant No.2.

2. The applicant has lodged the complaint stating that the non-applicant No.2 had on two to three occasions tried to outrage her modesty and had taken some obscene photos and the videos of her. On the basis of said photos and videos, the non-applicant No.2 had threatened her father and the victim that if an amount of Rs.10,00,000/- is not given to him, he will make those photos and videos viral. Therefore, the crime is registered.

3. The learned Advocate for the applicant has stated that while granting anticipatory bail, the trial Court has relied on the whats-app chat and has stated that whats-app chat shows that both of them were in close relation and, therefore, considering the whats-app chat protection was granted.

4. The learned Advocate for the applicant has relied on the whats-app chat between the father of the applicant and non-applicant No.2 wherein non-applicant No.2 has given threats of making viral the photos and videos of the applicant and demanded Rs.10,00,000/-.

5. The applicant has relied on the judgment of the Hon'ble Apex Court in the case of Arvind Mohan Johari and another V/s. State of U.P and another (Criminal Misc. Petition No.4748/2025) wherein the Hon'ble Apex Court has observed that if the bail is obtained by misleading the Court, it can be cancelled. He has also relied on the judgment in the case of Deepak Yadav V/s. State of U.P and another (Criminal Appeal No.861/2022) in support of his argument that where the Court granting bail takes into account irrelevant material of substantial nature and not trivial nature while ignoring relevant material on record, then bail can be cancelled.

6. Learned A.P.P. submitted that the complaint was lodged and the F.I.R. was registered against the non-applicant No.2 but after granting bail by the trial Court, the non-applicant No.2 has given threats to the complainant and, therefore, N.C. was registered. It is submitted that the applicant could have filed an application before the trial Court on the basis of said N.C. and sought cancellation of bail granted by the trial Court.

7. Though served none appears for the non-applicant No.2.

8. Heard both sides and perused the record.

9. On perusal of the F.I.R. it appears that the complainant and the non-applicant No.2 were in cordial relations for few years and after their break-up the complaint is lodged. On the basis of whats-app chat the trial Court has granted protection to the non-applicant No.2.

Though the applicant has objected for considering the whats-app chat between the applicant and the non-applicant No.2 and stated that it is fabricated one and cannot be relied upon by the trial Court while granting bail, applicant himself has relied on whats-app chat to show that threats were given by the non-applicant No.2 to her father. Considering the contents of the F.I.R. and the fact that earlier the applicant and the non-applicant No.2 were having cordial relations, this is not a fit case to cancel the bail. Hence, the application is rejected.

(MRS.VRUSHALI V.JOSHI, J.)