IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 ANTICIPATORY BAIL APPLICATION NO. 1712 OF 2026

Dattaprabhu Baburao Pawar
Versus
The State Of Maharashtra And Another

Mr. R. B. Narvade Patil, Advocate for Applicant
Mrs. R. P. Gour, APP for Respondents

WITH ANTICIPATORY BAIL APPLICATION NO. 1707 OF 2026

Sanjay Alias Pandhari Digambar Pawar
Versus
The State Of Maharashtra

Mr. S. P. Urgunde, Advocate for Applicant
Mrs. R. P. Gour, APP for Respondents

CORAM : R.M. JOSHI, J
DATE : OCTOBER 05, 2026

P. C. :

1. Applicants apprehend arrest in connection with C.R. No. 139/2026 registered with Police Station Tamsa, District Nanded for the offences punishable under Sections 308(2), 308(3) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. First information report lodged on 03.08.2026 indicates that the present Applicants came to the Informant on 29.06.2026 after making telephonic call to him. On 30.06.2026, they came to the informant and shown obscene videos of his wife. They threatened him to pay Rs.1,00,000/- to them and in case money is paid the video would get deleted. There was a

threat that if money is not paid, the said video would be made viral on social media.

3. Learned Counsels for Applicants submit that there is inordinate delay in lodging of the first information report, which creates possibility of false implication of Applicants. Learned Counsel for Applicant – Sanjay submits that there are financial transactions between the parties and owing to the said financial transactions, this report came to be lodged to falsely involve him in the crime in question. Learned Counsels make submission that herein this case there is no allegation against the Applicants that they created/made any obscene video of the wife of the Informant and as such, having regard to the allegations against them the only requirement of the investigating agency would be of seizure of mobile phone of the Applicants. They make statement, on instructions, that Applicants are ready to submit their mobile phone to the investigating officer.

4. Learned APP opposed grant of any relief to the Applicants by referring to the investigating papers, which according to her, indicates that there are offences registered against the Sanjay indicating that he is involved in the acts of extortion of money. It is her submission by referring to the statement of witnesses that the informant had immediately disclosed the said incident to these witnesses and more particularly, because the delay is caused in lodging of the report, Applicants are not entitled for any relief.

5. Though it is sought to be argued that the present report came to be lodged owing to the transactions between the parties, there is absolutely no material on record to indicate so. Having regard to the nature of allegations, the lapse of time in between occurrence of incident and lodging of the report is justified. It cannot be expected from the informant who comes to know about his wife's obscene video and very next breath he will rush to the police station to lodge report. In case like in hand, any person would be reluctant to approach police immediately and would try to find out solution. The Informant tried the same and hence, lodging of the report cannot lead to inference that the same is false.

6. Perusal of the investigating papers indicate that there is record against Applicant – Sanjay indicating that even previously he was involved in the crime of extortion of money. Since this Court finds no material to hold that the Applicant are being falsely implicate in this crime and having regard to the nature of offence, the custodial interrogation of the Applicants would be necessary. Applicants, therefore, have failed to make out any case for grant of pre-arrest bail.

7. In view of above, applications stand rejected.

(R. M. JOSHI, J.)

Malani