

VRJ

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

BAIL APPLICATION NO.78 OF 2026

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Vishal Nishikant Kambale ... Applicant
V/s.
The State of Maharashtra & Anr. ... Respondents

Mr. Yogesh Sawant with Ms. Siddhi Diwan and Kartik Patil for the applicant.

R. V. Parule, API, Shivajinagar Police Station, Ichalkaranji is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : FEBRUARY 12, 2026

P.C.:

1. By the instant bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant is seeking regular bail in connection with Crime Register No. 574 of 2025 registered with Shivajinagar Police Station, Ichalkaranji, for offences punishable under Sections 64(2)(m), 75(1) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2. It is alleged that the victim informed her husband about her relationship with the applicant. It is further alleged that the

applicant used to visit the victim's house in the absence of her husband and that, when she tried to avoid him, the applicant once expressed his love for her and caught hold of her. Thereafter, they started chatting and the applicant took certain photographs. It is alleged that he continued to visit her house when her husband was not present. Subsequently, he had sexual relations with her and, on 15th February 2023, when she was alone, he again had sexual relations with her. It is further alleged that the applicant thereafter threatened to show the photographs of both of them to her husband and, on that basis, continued to have sexual relations with her on several occasions. It is also alleged that he took her to a lodge, where he had sexual relations with her.

3. Learned counsel for the applicant submitted that the complaint came to be lodged and the crime was registered only after the husband came to know about the relationship between the applicant and the victim. It is further submitted that the applicant is a married person and that his wife has recently delivered a child. According to the applicant, the relationship between the applicant and the victim was consensual and, therefore, he prays for the release of the applicant on bail.

4. Learned APP vehemently opposed the application, submitting that the statement of the victim itself shows that the applicant had issued threats and that the sexual relations were forcible, and therefore prayed for rejection of the application.

5. Heard learned advocate for the applicant and the learned APP.

6. The victim is a married lady aged 29 years. The applicant is also a married man. It appears that this is a case of a consensual relationship between two adults. As it was an extra-marital affair and the same came to the knowledge of the husband of the victim, the crime came to be registered. Considering the allegations made against the present applicant and the nature of the relationship being consensual, and after hearing the learned Advocates appearing for the parties, this Court is of the view that a case is made out to release the applicant on bail.

7. Hence, following order is passed:

- i) The bail application is allowed;
- ii) The applicant - Vishal Nishikant Kambale is directed to be released on regular bail in connection with Crime Register

No. 574 of 2025 registered with Shivajinagar Police Station, Ichalkaranji, for offences punishable under Sections 64(2) (m), 75(1) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, upon furnishing a personal bond of Rs. 25,000/- with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall report the Shivajinagar Police Station, Ichalkaranji on first Monday of every month between 10.00 a.m. to 12.00 noon, until further orders.
- b) The applicant shall not tamper with the evidence or attempt to influence any witness.
- c) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
- d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.
- e) The applicant shall not indulge in any criminal activity during the pendency of the trial.
- f) Any breach of these conditions shall result in the

prosecution moving for cancellation of bail before the Trial Court.

8. The bail application is allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)