

HARISH
VITHAL
CHAUDHARI

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

CRIMINAL BAIL APPLICATION NO. 403 OF 2026

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Vitthal Vishnu Jog	...Applicant
<u>VERSUS</u>	
The State Of Maharashtra And Anr.	...Respondents

Mr. Viraj Nalawade Vikramsinh for the Applicant.
 Ms. Supriya S. Koregave for Respondent No. 3 (Appointed through Legal Aid)
 Mr. Anand Subhash Shalgaonkar, APP for the Respondent-State.

CORAM : MEHROZ K. PATHAN, J.

DATE : 12th JUNE, 2026.

P.C.

1. Heard the learned Counsel for the Applicant, the learned APP for the State and learned counsel for Respondent No. 3.
2. The Applicant has approached this Court, seeking regular bail in connection with Crime No.1343/2025 registered with Karad City Police Station, District Satara for the offences punishable under Sections 75(3), 78 and 351(4) of Bharatiya Nyaya Sanhita, 2023 and under Sections 67 of Information Technology Act, 2000.
3. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. The Applicant was in a consensual love relationship with the victim girl. However, there were some disputes in the relationship subsequent to which, there are allegations against the Applicant about harassing the Complainant by

creating fake Instagram id and posting certain objectionable obscene posts in the name of the Complainant. earlier also the Applicant was implicated in another crime bearing FIR No. 1076 of 2025 registered with Karad City Police Station. However, since taking into consideration that the Applicant and the Complainant were in a consensual love relationship, the Applicant was not arrested and notice under Section 35 of the Bharatiya Nyaya Sanhita, 2023 was issued against Applicant. The Applicant is now arrested in the present crime No.1343 of 2025 registered on 25.11.2025. The Applicant is behind bars since his arrest on 27.11.2025. The offences invoked by the prosecution under Section 75(3) is punishable with one year imprisonment, Section 78 is punishable with three years imprisonment, Section 351(4) is punishable with two years imprisonment, and Section 61 of the Information Technology Act, 2000 is punishable with three years imprisonment. The Applicant has already undergone seven months of imprisonment. The Applicant is having deep roots in the society. The Applicant is undergoing education and has completed BSC graduation. The Applicant is not having any criminal antecedents except the complaint filed by the same Complainant earlier for the identical allegations. The Applicant is ready to abide any condition that may be imposed by this Court. Hence, the Applicant may be released on regular bail.

4. As against this, the learned APP strongly opposes the bail application on the ground that the Applicant is a habitual offender, who harassed the Complainant by creating fake id and posted objectionable

obscene posts in her name. The Applicant has created fake id on Instagram social platform in the name of the Complainant. The same allegations had earlier culminated in the registration of FIR No. 1076/2025. Even pursuant to the notice issued under Section 35 of the Bharatiya Nyaya Sanhita, 2023, the Applicant confessed to have committed the said offence and undertook not to repeat the same. However, after a couple of months, the Applicant once again indulged in similar acts of harassment against the Complainant, resulting in the registration of another FIR. Taking into consideration the conduct of the Applicant, there is a likelihood that he may again commit a similar cognizable offence, thereby posing a threat to the Complainant. The prosecution has collected ample evidence to prove guilt of the present Applicant in the said crime. Hence the application may be rejected.

5. Learned appointed counsel for Respondent No. 3 also strongly opposes the bail application on the ground that if the Applicant is released on bail, he may threaten the Complainant and thereby cause prejudice to the prosecution case. The Application may therefore be rejected.

6. I have gone through the investigation papers which have culminated into filing on the chargesheet. The FIR shows that there was harassment at the behest of the Applicant. However, the fact that the Complainant was having consensual and cordial love relationship with the Applicant, was suppressed in the FIR. The statement recorded under Section 183 of the Bharatiya Nyaya Sanhita, 2023 of the Complainant

shows that the Applicant and the Complainant had a consensual love relationship and after dispute being arose between them, the harassment at the behest of the Applicant had started. Be that as it may, the offences are punishable to the maximum punishment up to three years. The Applicant has already undergone seven months of incarceration. Since the investigation is completed and the entire evidence including the statements under Section 183 have already been recorded, no fruitful purpose would be served in further keeping the Applicant behind bars. The apprehension of the learned APP and the learned appointed counsel for Respondent No. 3 can be taken care of by imposing appropriate conditions upon the Applicant. Hence I am inclined to pass the following order :

ORDER

(i) The Applicant- Vitthal Vishnu Jog in connection with Crime No. 1343/2025 registered with Karad City Police Station, District Satara for the offences punishable under Sections 75(3), 78 and 351(4) of Bharatiya Nyaya Sanhita, 2023 and under Sections 67 of Information Technology Act, 2000, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

(a) The Applicant shall attend the police station on the first day of every month between 11.00 am to 2.00 pm.

(b) The Applicant shall attend the Court dates regularly.

(c) The Applicant shall not enter in Karad City till recording the evidence of the Complainant except attending the Court dates and Police Station as aforesaid.

(d) The Applicant shall not, directly or indirectly, attempt to contact the Complainant or any of her family members. In the event the Complainant reports any threat, intimidation, or harassment by the Applicant towards her or her family members, the same shall constitute a valid ground for seeking cancellation of bail and may also entail prosecution in accordance with law.

(e) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.

(f) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses of the residence and phone numbers of himself and two of the near relatives.

(ii) The application is allowed in the above terms and stands disposed of.

(MEHROZ K. PATHAN, J.)