IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 563 OF 2026

Aniket Dilip Jaiswal .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. R. B. Thombare a/w. Mr. S. S. Kharat, Advocates, for the Applicant
Ms. Sangeeta E. Phad, APP, for the Respondent – State
Ms. Aafreen Shaikh, appointed Advocate for Respondent No.2

ANAND SUDHAKAR SUDAME

Digitally signed by ANAND SUDHAKAR SUDAME
Date: 2026.10.07 16:14:01 +0530

CORAM : MILIND N. JADHAV, J.

DATE : 05.10.2026

P. C.

1. Heard Mr. Thombare, learned Counsel for the Applicant and Ms. Phad, learned APP for Respondent No. 1 – State.

2. This Application is filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") and the Code of Criminal Procedure, 1973 (for short "CRPC") in connection with C.R.No.177 of 2025 registered with Lonavala Police Station, Pune(Rural) for offences punishable under Sections 69 & 318(4) the Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

3. On 31.08.2026, the following order was passed which reads as under :-

> *"**1.** Heard Mr. Thombare, learned Advocate for Applicant; Ms. Phad, learned APP for State and Ms. Shaikh, learned appointed Advocate for Respondent No. 2.*
>
> ***2.** In compliance of the order dated 19.08.2026, Ms. Shaikh, learned appointed Advocate appears for Respondent No. 2. Copy of the Application has been given to her in Court.*
>
> ***3.** Learned Advocate for Applicant would submit that prosecutrix who is an adult and the Applicant are almost of the same age i.e. 25 year old and the relationship between them was consensual in nature. He would refer to and rely upon the WhatsApp chat which are appended at page No. 86 of the present Application. He would also refer to and rely upon the bank statements appended at page Nos. 96 to 152 of the Application.*
>
> ***4.** In view of the above, Ms. Shaikh, learned appointed Advocate is directed to take appropriate instructions and accordingly apprise the Court on the next adjourned date.*
>
> ***5.** Stand over to **7th September, 2026."***

4. Ms. Shaikh, learned appointed Advocate for Respondent No.2 – victim would adopt the submissions of the learned APP and urge the Court to deny grant of bail to Applicant on account of severity of crime committed by him. She would submit that Applicant deceived the victim by falsely representing to her that he would marry her and therefore established sexual relations with her. She would submit that assault is committed by Applicant and therefore Applicant does not deserve any leniency and should not be released on bail.

5. It is *prima facie* seen that both the Applicant and the victim are of the same age that they are adults and they were in a consensual relationship for quite some time which is *prima facie* evident from the material which is placed on record from page No. 86 on wards. I have perused the same. The victim herself has stated in her several statements before the Investigating Officer as also recorded during her Medico Legal examination that she befriended Applicant on Instagram in the year 2021 and from May, 2021 onwards, they both engaged in a physical relationship, rather consensual protected physical relationship on several occasions thereafter. Considering the statements of the victim appended to the present Application and the fact that there is no element of force, abuse or violence been alleged in the said relationship between parties, I am inclined to accept the case of Applicant for grant of bail.

6. Hence, in view of above *prima facie* observations and finding, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant – **Aniket Dilip Jaiswal** is directed to be immediately released from prison in connection with CR. No. 177 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P. R. Bond of Rs.15,000/- (Rs. Fifteen Thousand only) with one surety of the like amount;

(iii) Applicant shall report to the Investigating Officer at Lonavala Police Station, Pune(Rural), once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall co-operate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating

Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. This Court appreciates the assistance rendered by Ms. Shaikh, learned Advocate appointed through the Legal Aid to espouse the cause of Respondent No. 2. Her fees are to be paid by the High Court Legal Aid Services Authority as per rules on production of a server copy of this order and other compliances in accordance with the decision of this Court in the case of ***Sanjyot Nitin Telharkar v. The State of Maharashtra & Anr.***[1] and the Schedule under Regulation 18(1) of the Maharashtra State Legal Services Authority Rules, 1998.

[1] Judgment dated 25.09.2024 passed in Misc. Civil Application No. 134 of 2024

9. Bail Application is allowed and disposed in the above terms.

(MILIND N. JADHAV, J.)