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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 445 OF 2026

Yash Kamle ...Applicant

V/S.

The State Of Maharashtra And Anr. ...Respondents

Adv. Vivesh Purwant a/w Adv. Suraj Gadkari, for the Applicant.

Adv. Ashok S. Gawai, APP for the Respondent – State.

Adv. R. V. Dighe, for the Respondent No.2.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 01ST OCTOBER, 2026.

P.C. :-

1. Heard learned counsel for the applicant as well as learned APP for respondent-state and learned counsel for the respondent no 2.

2. The applicant has filed the instant application seeking pre-arrest bail in connection with Crime No. 846 of 2025 dated 15.06.2025, registered with Narpoli, Police Station, Thane (City), for the offence punishable under Sections 64(2)(m) and 69 of Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 4, 8 and 12 of Protection of Children from Sexual Offences (POCSO) Act, 2012.

3. The FIR states that the applicant has committed sexual assault against the complainant without her consent. The offenses occurred on 5th of

June, 2025 and 8th of June, 2025 at residence of complainant's relative in Bhiwandi. The Accused bypassed her resistance and forced physical relations under the false pretext and promise of marriage. The matter was discovered when family members intercepted their Instagram communication, leading to registration of this FIR.

4. Learned counsel for the applicant submits that the allegations about false promise of marriage are without any basis as the applicant had the intention to marry with the complainant. It is submitted that the applicant has in fact married with the complainant on 13.09.2026 and as on today, both of them are residing together. He also states that even the complainant had conveyed no objection for grant of the anticipatory bail to this applicant.

5. Learned APP has pointed out that the offence registered against this applicant is serious in nature and it is non-compoundable and hence prays for rejection of the Anticipatory Bail Application. He, however, does not dispute the contention that the applicant and complainant are married and are living together.

6. Perused the FIR and documents place on record. It has to be noted that the applicant is of tender age with no criminal antecedents and further considering the contention that the applicant has married with the complainant, at this stage, the applicant need not be taken into custody. Under these circumstances, custodial interrogation of this applicant is not warranted and the interim protection granted by this court, needs to be

confirmed.

7. In view of the above, the interim protection grated by the order dated 16th September, 2026 is confirmed, subject to certain conditions.

8. Hence, I pass the following order :

: ORDER :

(i) Anticipatory Bail Application is allowed.

(ii) In the event of arrest of the applicant in Crime No. 846 of 2025 dated 15.06.2025, registered with Narpoli, Police Station, Thane (City), for the offence punishable under Sections 64(2)(m) and 69 of Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 4, 8 and 12 of Protection of Children from Sexual Offences (POCSO) Act, 2012, he be released on bail on furnishing P. R. Bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety of the like amount.

(iii) The applicant is directed to attend the police station on 08.10.2026 in between 10:00 a.m. to 02:00 p.m., and thereafter as and when called upon.

(iv) The applicant shall extend cooperation during investigation and trial.

9. The Anticipatory Bail Application is allowed and disposed of.

***(PRAFULLA S. KHUBALKAR,* J.)**