HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1806 OF 2026

Avinash Raju Jadkar .. Applicant

Versus

The State of Maharashtra and Anr. .. Respondents

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- Mr. Ajay Patil a/w. Mr. Vishwajeet Patil, Ms. Vijaymala Kanade and Mr. Vinod Chavan, Advocates for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.
- Mr. Viral Mukte, Advocate (appointed) for Respondent No.2.
- GPSI – R. U. Kokare, Jejuri Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 09, 2026

P.C.:

1. Heard Mr. Patil, learned Advocate for Applicant; Ms. Newton, learned APP for Respondent No.1 and Mr. Mukte, learned appointed Advocate for Respondent No.2.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.204 of 2025 registered with Jejuri Police Station for offences punishable under Sections 64(1), 115(2), 352 and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. On 07.10.2026, the following order was passed:-

> *"**1.** Heard Mr. Patil, learned Advocate for Applicant; Ms. Newton, learned APP for State and Mr. Mukte, learned Advocate (appointed) for Respondent No. 2.*
>
> ***2.** Applicant is indicted in the present crime for having*

committed an assault on the victim. The victim is an adult, 19 years of age and the Applicant is 31 years of age. The victim's statement is appended at page Nos. 25-26 of the Application. When the said statement is prima facie read, it is clearly seen that the victim has admitted that she was in a love relationship with the Applicant. She has also stated that she had visited one particular lodge in Pune along with the Applicant on three different occasions. This fact is in fact corroborated by the investigation whereby the hotel register for the three different dates showing the presence of the Applicant and the victim have been placed before the Court, which is seen from page No. 39 onwards.

3. *Mr. Mukte, learned Advocate (appointed) for Respondent No. 2 and Ms. Newton, learned APP have however drawn my attention to the charge of blackmail and extortion due to which the first informant / Complainant had to succumb to the pressure of the Applicant which is stated in the last unnumbered paragraph on page 25 in the statement of the Complainant. To that extent, learned APP would submit that though the phone which has the contentious pictures was confiscated and seized 14 months back, the report is still awaited.*

4. *This is a question of the Applicant's liberty. Substantial material is placed by the Applicant before the Court to show that the parties were in a love relationship with each other. 14 months is long period of time; however, considering the vehement request made by Ms. Newton, I am inclined to give some time to the prosecution. Learned APP is directed to submit the forensic report of the mobile phone of the Applicant which has been seized with regard to the contents thereof pertaining to the present matter in question.*

5. *Stand over to* ***9th October, 2026*** *under the caption "****Part-Heard****".”*

4. In view of the directions contained in the aforesaid order, the prosecution is not in the position to place the forensic report with regard to the mobile phone which was confiscated and seized 14 months ago as the same is awaited. As determined the question is that of the Applicant’s liberty.

5. There is *prima facie* material evidence which is gone into and as observed in the aforesaid order with regard to the victim who is an adult and who has already in her own First Information Report statement confessed to be in a love relationship with the Applicant.

6. Considering the aforesaid, Applicant is released on bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 204 of 2025;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 20,000/- (Rs. Twenty Thousand only) with one or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(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 address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of 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 Mr. Mukte, learned appointed Advocate through the legal aid. Her fees 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.

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

H. H. SAWANT

[MILIND N. JADHAV, J.]

1 Judgement dated 25.09.2024 passed in Misc.Civil Application No.134 of 2024.

HARSHADA HANUMANT SAWANT
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