IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2834 OF 2026

Shubham Samadhan Mhatre …Applicant
Versus
The State of Maharashtra & Anr. …Respondents

Mr. Saurabh D. Butala a/w Shital Kamble, for the Applicant.
Mr. S. S. Ghag, APP, for the Respondent-State.
Mr. Suhas S. Deokar a/w Tanmay M. Shembavanekar, for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.
DATED: 16 OCTOBER 2026

PC:-

1. Heard Mr. Butala, learned Counsel appearing for the Applicant, Mr. Ghag, learned APP, for the Respondent-State of Maharashtra and Mr. Deokar, learned Counsel appearing for Respondent No.2.

2. By this Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicant is seeking pre-arrest bail in connection with CR No.315 of 2026 registered with Uran Police Station, Navi Mumbai, for the offences punishable under Sections 64(2)(i) and 64(2)(m) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 4, 5(j)ii) and 6 of the *Protection of Children from Sexual Offences Act, 2012*.

3. The prosecution case is set out in Paragraph No.2 of the Order dated 24th September 2026 passed by the learned Special Judge, Panvel, Dist.-Raigad in Criminal Bail Application No.816 of 2026, which reads as under:

> "*2. The story of the prosecution is that complainant resides along with her husband, two son and one daughter. On 02/09/2026 the police patil met complainant and stated that there was phone call from Uran Police Station that her minor daughter is pregnant as informed by Doctor's of Renuka Maternity Home. The complainant went to Uran Police Station and made inquiry from her daughter and the daughter informed that she has love relation with the accused Subham Mhatre. On 03/08/2026 at 4:00 PM accused called the victim daughter at her house and had physical sexual relation with her. Thereafter, victim did not had monthly periods so, accused along with victim went to Renuka Maternity Home. Doctor checked and stated that she is pregnant. Complainant lodged complaint against the accused/applicant and FIR No.315/2026 of offence 64(2)(i) (m) of the BNS & under section 4, 5(j) (2) & 6 of the POCSO Act, 2012.*"

4. Mr. Butala, learned Counsel for the Applicant, submits that the Applicant is 20 years old and is a student. There was

consensual relationship between the Applicant and the victim. He further submits the Applicant has no other criminal antecedents.

5. Mr. Deokar, learned Counsel appearing for Respondent No.2, on instructions, states that the relationship between the Applicant and the victim was consensual. He further submits that, considering that the age of the Applicant is 20 years and he is a student, Respondent No. 2 has no objection to consider prayer of the Applicant seeking pre-arrest bail sympathetically.

6. Perusal of the material on record shows that the Applicant and the victim were in consensual relationship.

7. The Applicant is a student of 20 years. There are no other criminal antecedents against the Applicant.

8. Accordingly, in the peculiar facts and circumstances, case is made out for grant of anticipatory bail.

9. In view thereof, the following Order is passed:

O R D E R

(a) In the event of arrest of Applicant - Shubham Samadhan Mhatre in connection with CR No.315 of

2026 registered with Uran Police Station, Navi Mumbai, the Applicant is directed to be released on bail on his furnishing PR Bond in the sum of Rs.10,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station, as and when necessary and shall cooperate with the investigation.

(c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

10. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]