

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3667 OF 2025**

Abdul Kamal Abdulla Shaikh

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

Mr. Dinesh Adsule a/w. Mr. Vijaykumar Dhakane and Mr. Chinmay Bhole,
Advocates for the Applicant.

Mr. P.P.Jadhav, APP for the Respondent-State.

Mr. Pandit Kasar, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th MARCH, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 132 of 2025 registered with Chikhali Police Station, Pune, for the offences punishable under Sections 64, 75, 78, 351(5) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”).

2. It is prosecution’s case that in period between March-2024 to July-2024, applicant and co-accused sexually assaulted the first informant by threatening her.

3. It is contention of learned counsel for the applicant that there was love affair between the applicant and first informant. The relations between them were consensual in nature. The applicant lodged complaint

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against the first informant. She was arrested and after being released on bail, she filed complaint against the applicant. The applicant is behind bars for almost one year. The applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that applicant and co-accused sexually assaulted the first informant on several occasions by threatening her. They recorded the sexual assault in mobile phone and thereafter repeatedly sexually assaulted her by threatening her of making said video viral. The family members of the first informant are threatening her to withdraw the case, during pendency of this application. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. There is delay in lodging the complaint. To prove the case against the applicant, evidence is required. The complaint is lodged after first informant being released on bail. The applicant is behind bars for almost one year. Investigation is completed and chargesheet has been filed. Considering these facts, I pass following order.

S.S.Kilaje

ORDER

- i. The applicant be enlarged on bail in C.R.No. 132 of 2025 registered with Chikhali Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.
- iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- iv. The applicant shall not enter in the jurisdiction of Pimpri Chinchwad, till recording the evidence of first informant.

6. The application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)