

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3764 OF 2025

Amey Chandrakant Karambale	...Applicant
<i>Versus</i>	
State Of Maharashtra And Anr.	...Respondents

Mr. Sanjay Singh, for the Applicant
Ms. Veera Shinde, APP, for the Respondent No.1 - State.
Mr. Ashley Cusher, for the Respondent No. 2
API Anita Hodage, Kurar Village Police Station, Mumbai, is present.

CORAM: R. M. JOSHI, J.

DATED: 26th MARCH, 2026

PC:-

1. Applicant seeks regular bail in connection with Crime No. 18 of 2025 registered with Kurar Village Police Station, Mumbai, for the offences punishable under Section 137(2) of the Bhartiya Nyaya Sanhita, 2023 (For short "BNS Act").

2. Learned Counsel for the Applicant submits that here in this case even as per the First Information Report it could be said to be consensual relationship between victim and the applicant. It is further pointed out that victim has no objection for grant of bail to the applicant. On merit, it is submitted that serious doubt is created with regard to the DNA report. In view of the fact that DNA kit was requisitioned on 30th January 2025 whereas the blood sample were obtained on 29th January 2025.

3. Learned Counsel for the Respondent No.2, on instructions from Respondent No. 2 – victim, who is present in the Court records no objection for grant of bail.

4. Learned APP opposes the Application by pointing out that the no objection recorded by the victim who is a minor for grant of bail is inconsequential. She also seeks rejection of the bail citing seriousness of the crime.

5. There can not be any dispute made with regard to the proposition sought to be canvassed by the Learned APP that merely on the basis of no objection recorded by the victim, bail cannot be granted. Here in this case however *prima facie* perusal of the First Information report indicates that this is a possible case of love affair. To prove the charge prosecution is seeking to place reliance on DNA report. This Court finds *prima facie* substance in the contention of the Learned Counsel for the Applicant that the blood samples are collected even before requisitioning the DNA Kit. From recording of no objection for grant of bail, one can foresee the outcome of trial Having regard to these facts, so also in view of there being no antecedents against Applicant, this is a fit case for grant of bail. Hence, order.

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 18 of 2025 registered with Kurar Village Police Station, Mumbai, for the offences punishable under Section 137(2) of the Bhartiya Nyaya Sanhita, 2023.

- ii) Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.15,000/- with one surety in the like amount, till the satisfaction of the Trial Court.
- iii) Applicant is directed not to contact victim or any prosecution witnesses, in any manner, whatsoever.
- iv) Applicant to attend all dates of hearing before the Trial Court unless his presence is exempted by passing specific order.
- v) Any breach of the above condition shall result forthwith in cancellation of bail.

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

7. It is clarified that the above observations are made on *prima facie* consideration of the material on record and the same shall not bind the parties during the trial.

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

(R. M. JOSHI, J.)

VDMokal/-