

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Cri.Anticipatory Bail Application No.2032 of 2025

Yuvaraaj Jamnadas Thakkar

Age: 60 yrs, Occ: Business,

R/at : 402, Regal Heights,

Namdeo Koli Marg, Sion (E),

Mumbai- 400 022

... Applicant.

Vs.

1. The State of Maharashtra

(At the instance of the Sr PI

Sion Police Station, Mumbai,

vide CR No.171 of 2025)

2. XYZ

(to be served through Sion

Police Station, Mumbai)

... Respondents.

Mr Aniket U Nikam i/by Mr Sumit Patil for the applicant.

Mr Myur Sonavane APP, for the respondent / State.

**PI Sanjay Jagtap, a/w PSI Ayubkhan Pathan Sion Police
Station, Mumbai.**

**Mr Faiyaz Khan a/w Mr Pramod Chauhan for respondent
No.2.**

Coram : R.N.Laddha, J.

Date : 15 April 2026.

P.C. :

**By this application, the applicant seeks pre-arrest bail
in connection with CR No.171 of 2025, registered at Sion**

Police Station, Mumbai, for offences punishable under Sections 377, 376, 376(2)(n), 376(2)(i), 376(2)(f), 376D, 370, 372, 354, 509, 504 and 506 read with Section 34 of the Indian Penal Code; Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012; and Sections 66D, 67 and 67A of the Information Technology Act, 2000.

2. According to the prosecution, the applicant and the family of the victim share a close and longstanding relationship. It is alleged that, in October 2015, during a social gathering at the applicant's residence, the applicant followed the victim into the kitchen and subjected her to inappropriate physical contact by touching her chest, coupled with a threat intended to dissuade her from disclosing the incident. Subsequently, the applicant returned to the United States of America, from where he allegedly maintained telephonic contact with the victim, issuing threats and coercing her into transmitting indecent photographs.

3. It is further alleged that, in the year 2016, upon his visit to India, the applicant engaged in sexual acts with the

victim and reiterated threats to prevent disclosure. The applicant is also alleged to have induced the victim to continue a relationship with him by making assurances regarding her future, including facilitating her education in the United States, and providing her with a laptop.

4. The prosecution further alleges that, during his visits to India between 2016 and 2017, the applicant established sexual relations with the victim at a hotel and recorded explicit videos and photographs, which were subsequently shared with his acquaintances. It is also alleged that the applicant compelled the victim to engage in sexual relations with his associate and co-accused Vijay, who, upon meeting the victim, also subjected her to inappropriate physical contact. It is further alleged that in July 2017, when the victim travelled to New York to attend a summer programme at Yale University, she resided at the applicant's residence, during which period the applicant engaged in physical relations with her, recorded obscene material, and shared such content with the co-accused Vijay. The applicant is also alleged to have introduced the victim to another co-accused, Rajiv.

5. Upon her return to India, the applicant allegedly remained in continuous communication with the victim and coerced her into sharing private photographs with the co-accused Rajiv. The applicant further induced the victim to travel to New York in November 2017 under the pretext of visiting educational institutions. During this visit, it is alleged that both the applicant and the co-accused, Rajiv, simultaneously engaged in sexual acts with the victim and threatened to defame her in the event of disclosure. Following her return to India, the victim remained in contact with both the applicant and Rajiv.

6. It is further alleged that, in December 2018, when the victim again travelled to the United States for higher education and resided at the applicant's residence, the applicant subjected her to physical assault and forcible sexual intercourse. Thereafter, upon leaving the applicant's residence and proceeding to the residence of the co-accused Rajiv, the latter is alleged to have exploited the situation and engaged in physical relations with her.

7. The prosecution further alleges that from 2019 onwards, the victim developed a romantic relationship with

the co-accused Rajiv, culminating in a live-in arrangement. It is alleged that Rajiv was subsequently arrested and deported to India, and that in 2023, the victim relocated to California. In July 2023, upon her return to India, the victim visited Rajiv's residence, where he allegedly attempted to engage in physical relations with her. Rajiv is further alleged to have made a promise of marriage to the victim, which he subsequently reneged upon, having married another individual instead, and to have issued threats upon learning of the victim's intention to initiate legal proceedings. Based on these allegations, the present crime was registered.

8. Mr Aniket Nikam, the learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. He points out the inordinate and unexplained delay in registering the FIR. The alleged incidents occurred over a period spanning from October 2015 to December 2018, whereas the FIR came to be filed only on 17 June 2025. The victim stayed at the applicant's residence and was in constant contact with the applicant even after returning to India. The conduct of the victim, as borne out from the

FIR, reveals that she continued to reside at the applicant's residence during her stay in the United States and remained in continuous contact with him even thereafter, including after her return to India, without raising any contemporaneous grievance or complaint.

9. Mr Nikam further submits that pursuant to the issuance of notice under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant duly attended the concerned police station, where his statement was recorded. He also cooperated with the investigation and surrendered all his gadgets, including his mobile phone, and underwent a medical examination. Furthermore, the investigation has been completed and a charge sheet has been filed. Nothing remains to be recovered or discovered at the instance of the applicant. Moreover, the applicant is willing to abide by any conditions that this Court may deem fit to impose.

10. Mr Mayur Sonawane, the learned Additional Public Prosecutor representing respondent No.1/State, on instructions from the investigating officer present in the Court, fairly acknowledges that the applicant has duly

attended the concerned police station and cooperated with the investigation, which has concluded, leading to the filing of a charge sheet in August 2025. The learned APP further submits that, at this stage, no recovery or discovery remains to be effected at the instance of the applicant, and that the prosecution does not seek his custody.

11. Mr Faiyaz Khan, the learned Counsel appearing on behalf of respondent No.2/victim, opposes the applicant's request for bail. He submits that the offence is of a grave and serious nature. According to him, the allegations levelled against the applicant are specific, direct, and *prima facie* disclose his involvement. It is contended that, notwithstanding the completion of the investigation, there exists a reasonable apprehension that the applicant, if granted bail, may tamper with the evidence or attempt to influence witnesses. In support of his contentions, the learned Counsel relies upon the decisions in *Sumitha Pradeep vs Arun Kumar CK and Anr*, (2022) 17 SCC 391, and *Bhagwan Singh vs Dilip Kumar alias Deepu alias Depak and Anr*, (2023) 13 SCC 549.

12. This Court has given anxious consideration to the

submissions canvassed across the Bar, and perused the record.

13. Upon perusing the records, it appears that the allegations pertain to incidents allegedly occurring between October 2015 and December 2018, whereas the FIR came to be lodged only on 17 June 2025. Such substantial and unexplained delay, particularly in the absence of any contemporaneous complaint or disclosure, assumes significance at this stage.

14. The material on record *prima facie* indicates a prolonged and complex interpersonal relationship between the parties over several years, including continued interaction even after the alleged incidents. The allegations, therefore, require careful evaluation at trial and do not, at this stage, justify denial of anticipatory bail solely on the ground of seriousness. A perusal of the allegations reveals that the victim continued to remain in contact with the applicant over a prolonged period, including voluntarily residing at his residence in the United States on multiple occasions and maintaining communication even after returning to India. This continued association, without any

contemporaneous grievance, *prima facie* dilutes the element of coercion and requires thorough scrutiny during trial.

15. Furthermore, the learned APP concedes that the applicant has duly complied with the notice issued under Section 35(3) of the BNS. He has attended the police station, cooperated with the investigation, recorded his statement, surrendered his electronic devices and undergone medical examination. This conduct indicates that the applicant is not likely to evade the process of law.

16. It further appears from the record that the investigation has been completed and a charge sheet has already been filed in August 2025. It is an admitted position, as fairly stated by the learned APP, that no custodial interrogation of the applicant is required and no recovery or discovery remains to be effected at his instance. In view of the completion of the investigation and filing of the chargesheet, coupled with the prosecution's own statement that custody is not required, the custodial interrogation of the applicant is not necessary. The prosecution's apprehension about evidence tampering and witness influence can be addressed by imposing appropriate

conditions. The applicant has expressed his willingness to abide by any conditions imposed by this Court.

17. Having considered the totality of the circumstances and the settled principles governing anticipatory bail, this Court is of the view that the applicant has made out a case for grant of anticipatory bail. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in CR No.171 of 2025, registered at Sion Police Station, Mumbai, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not tamper with evidence or influence witnesses.

(iii) The applicant shall not contact the victim in any manner whatsoever.

18. The application stands disposed of accordingly.

[R. N. Laddha, J.]