

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.91 OF 2026

Ashok Ankush Gadhve

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Rajabhau S Chaudhari, for the Applicant.

Mr. S. M. Mangaonkar, APP, for the Respondent-State.

API Nilesh Nalawade, Kalewadi Police Station, Pimpri-Chinchwad,
Pune, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 13 JANUARY 2026

PC:-

1. Heard Mr. Chaudhari, learned Advocate appearing for the Applicant and Mr. Mangaonkar, learned APP for the Respondent-State of Maharashtra.

2. By the present 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.432 of 2025 registered with the Kalewadi Police Station, Pimpri-Chinchwad, Pune, for the offences punishable under Sections 351(1), 351(2), 64(2)(m) and 69 of the *Bharatiya Nyaya Sanhita, 2023* (“BNS”).

3. It is the contention of Mr. Chaudhari, learned Advocate appearing for the Applicant that the relationship, if any, between the Applicant and the First Informant is consensual.
4. On the other hand, Mr. Mangaonkar, learned APP for the Respondent-State, strongly opposes the Anticipatory Bail Application.
5. The prosecution case is set out in Paragraph Nos.2 and 3 of the Order dated 10th December 2025 passed by the learned Special Judge (POCSO) & Additional Sessions Judge, Pune in Criminal Bail Application No.7968 of 2025, which reads as under :-

“2] The case of the prosecution as can be gathered from the first information report is that the victim aged about 27 years is married and having one daughter. The applicant and the husband of the victim were drivers and were working together. Around 13 to 15 months prior to lodging of the complaint, the applicant came to the house of the victim while she was alone and said to the victim that her husband was alcoholic. As he not treating her properly, the applicant would marry her. Initially, the victim did not pay any heed to the proposal of the applicant. However, as the applicant was insisting the victim that he would marry her, the victim started liking him. On 17/08/2024 when the victim was alone at home, the applicant came and said to her that he was liking her and tried to establish physical relationship with her. The victim refused but the applicant forcibly committed sexual intercourse with her. The victim was frightened and hence she did not disclose it to anyone.

3] It is further her complaint that the applicant went to his native place. The victim called him and asked him as to when he was marrying her as her husband came to know about their relationship. The applicant refused to marry her. Thereafter, the victim went to the native place of the applicant and said to him that she had left her husband. The applicant asked her to return back to Pune and further told her that he would immediately come. However, since the victim felt that the applicant would not come, the victim lodged complaint with Sheradhan Police Station. However, the applicant convinced her to withdraw the complaint. Thereafter, in September 2025, the applicant again committed forcible sexual intercourse with her. When the victim insisted for marriage, the applicant said to her that he would perform marriage in some days and thereafter went to his native place. When the victim again went to his native place and insisted for marriage, the accused refused to marry. Hence, the victim filed complaint against the applicant. On the basis of the complaint given by the applicant, the non-applicant police station registered First Information Report vide Crime no. 432/2025 for the commission of offence punishable under sections 351 (1)(2), 64(2)(m), 69 of the Bharatiya Nyaya Sanhita, 2023.”

6. Perusal of the record shows that there is substance in the contention raised by learned Advocate for the Applicant that the relationship, if any, is consensual. There are no criminal antecedents against the Applicant.

7. Accordingly, case is made out for grant of anticipatory bail. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Ashok Ankush Gadhve, in connection with CR No.432 of 2025 registered with the Kalewadi Police Station, Pimpri-Chinchwad, Pune, he be released on bail on his furnishing PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station on 19th January 2026 and 20th January 2026 between 11:00 am to 02:00 pm and thereafter as and when called by the Investigating Officer till filing of the Charge-sheet 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.

- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]