

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 262 OF 2026

Sagar S. Shinde ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents.

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Adv. P.D. Kavale for the Applicant.
Mr. B.V. Holambe Patil, APP for the Respondent/State.
Mr. Harshwardhan M. Pawar i/b Mr. Sangram Ghuge Patil for the
Respondent No.2.
API R.R. Dangat, Khadakpada Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 04.02.2026.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.18 of 2026 registered at Khadakpada Police Station, Thane city for the offences punishable under Sections 64(2)(k), 68(b), 69, 123, 115(2), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The applicant and the victim got acquainted with each other while working at the District Court, Thane. It is alleged that on 24th March 2024, the applicant told the victim that he likes her and would like to marry her. The applicant offered to help the victim in appearing for the examination of Junior Clerk by teaching her computer. It is alleged that on 1st May 2024, the applicant came

to the house of the victim for teaching her computer. During that time, the applicant spiked the drink of the victim, due to which she started feeling drowsy. Taking advantage of her condition, the applicant established physical relations with her. It is alleged that when the victim regained consciousness and started crying, the applicant assured her that she need not worry as he would marry her. It is alleged that thereafter on 10th May 2024 the applicant on some false pretext took the victim to the house of his friend and there established physical relations with the victim. It is alleged that when the victim asked the applicant about the marriage, the applicant refused to marry her and stated that he would not marry her as she belongs to a lower caste.

4. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and the learned counsel for the respondent No.2/first informant.

5. Learned counsel for the applicant submits that the alleged relationship between the applicant and the victim was consensual and that the applicant had never made any promise of marriage to the victim. In support of the said submission, learned counsel for the applicant has drawn my attention to the WhatsApp chats between the applicant and the victim. It is submitted that the applicant is working as a Junior Clerk and his arrest would adversely affect his service career. Learned counsel for the applicant submits that there is no need of custodial interrogation and the applicant is ready and willing to cooperate in the investigation.

6. On the other hand, learned APP for the respondent/State and the learned counsel for respondent No.2/first informant submit that after the first incident dated 1st may 2025, no report was lodged as the applicant promised to marry the victim. It is submitted that the applicant refused to marry the victim on the ground that she belongs to lower caste and therefore, it is evident that since inception, the intention of the applicant was just to sexually exploit the victim. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the WhatsApp Chats placed on record. *Prima facie*, the said chats do not suggest that there was no promise of marriage. It appears from the said chats that the victim was repeatedly asking the applicant to marry her or else she would commit suicide. Considering the overall facts and circumstances of the case, I am not inclined to release the applicant on anticipatory bail. Hence, the Application is rejected.

[N.R.BORKAR, J.]