

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

**ANTICIPATORY BAIL APPLICATION NO.267 OF 2026**

Nilesh Suresh Tadke

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr. Rahul V. Shinde, for the Applicant.

Ms. Megha S. Bajoria, APP for the Respondent-State.

**CORAM : SHYAM C. CHANDAK, J.**

**DATED : 5<sup>th</sup> MARCH, 2026**

**P.C. :-**

. The Applicant, apprehending his arrest in CR No.347 of 2025 registered with Vishrantwadi Police Station, Pune under Sections 74 and 79 of the Bharatiya Nyaya Sanhita, 2023 on the report of the informant woman aged 52 years, preferred this Application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of bail.

2) Heard Mr. Shinde, the learned Counsel for the Applicant and Ms. Bajoria, the learned APP for the Respondent-State.

3) Briefly stated, the prosecution case is that the informant and her sister have their separate tenements, adjacent to each other, in the same building at Vishrantwadi. The informant's sister has let out her tenement to the Applicant, where the Applicant, his two wives and six children have been residing. The Applicant's family has been causing nuisance by throwing garbage in front of the room of informant, playing loud music and breaking her water connection. As alleged, on 09.12.2025, at about 9.30 a.m., the Applicant made obscene gestures from outside the room of informant. Therefore, the informant was closing the door of her room. At

that time, the Applicant tried to barge into her room and outrage her modesty. Therefore, on 12.12.2025 the informant filed a complaint with Vishrantwadi Police Station leading to registration of this crime.

4) According to the Applicant he was innocent and therefore he had applied for Anticipatory Bail before the Sessions Court at Pune. The learned Additional Sessions Judge, Pune rejected his Bail Application *vide* Order dated 12.01.2026. Hence, this Application.

5) The learned Counsel for the Applicant submits that, there has been a dispute in between the informant and her sister. The former wants to grab the tenement of the later. Therefore, on 09.12.2025 NC complaint was filed against the informant by her sister with Vishrantwadi Police Station. In the NC complaint, the Applicant has been shown as a witness to the said dispute. The informant was aggrieved by the NC complaint. Therefore, she filed a false complaint against the Applicant. The Applicant is innocent. Hence, pre-arrest bail may be granted.

6) The Ms Bajoria, the learned APP submitted that in her complaint the informant has categorically stated that, the Applicant tried to enter in her room and then he outrage her modesty. Therefore, the offence is serious and Applicant is not entitled for bail.

7) The copy of the NC Case No. 1773/2025 is enclosed with the Application. The said NC complaint recorded that, the informant has been causing annoyance to the Applicant, abuse him and threatening her own sister. As alleged, the aforesaid incident of outraging the modesty had occurred on 09.12.2025. However, the complaint thereof was filed by the informant on 12.12.2025. Till the date of the filing of the said complaint, the Applicant never misbehaved with the informant in any manner.

8) In the wake of above, *prima facie* it appears that the complaint of outraging the modesty filed against the Applicant is the result of the dispute between the two sisters. Therefore, whether the Applicant has committed this offence or not, is a question of trial. Considering the nature of the offence, there is no need of custodial interrogation. The Applicant is not likely to abscond and tamper with the prosecution evidence. As a result, I am inclined to allow the Application. Hence following Order :-

**:: ORDER ::**

- (a) Application is allowed.
  - (b) In the event of arrest of the Applicant in CR No.347 of 2025 registered with Vishrantwadi Police Station, Pune under Sections 74 and 79 of the Bharatiya Nyaya Sanhita, 2023 he shall be forthwith released on bail on executing a personal bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
  - (c) Applicant shall attend before the Investigating Officer at Vishrantwadi Police Station, Pune on every Monday and Friday between 10:00 a.m. to 1:00 p.m., and as and when called by the Investigating Officer till the filing of charge-sheet.
  - (d) The Applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witnesses.
  - (e) The Applicant shall attend each and every date before the trial Court, unless exempted by said Court, and cooperate for expeditious disposal of said case.
- 9) With the above observations, the Anticipatory Bail Application stands disposed of.

**(SHYAM C. CHANDAK, J.)**