



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO. 21 OF 2026

(Abhijit s/o Prabhakar Rao Kude Vs. The State, thr PSO, PS Warora, Dist. Chandrapur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.B. Hemke, Advocate for applicant.
Ms. H.N. Prabhu, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.
DATE : 13.01.2026.

Heard.

2. The applicant is apprehending arrest in connection with crime No. 678/2025, registered with Police Station, Warora, District Chandrapur, for the offences punishable under Sections 74, 64(2) (m), 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Issue notice to the non-applicants, returnable on 29.1.2026.

4. Learned APP waives notice for non-applicant and prays for time to file reply. Investigating officer shall inform about these proceedings to the victim.

5. The contention is that there was consensual sexual relationship between the applicant and the victim. It is only when the applicant and the victim got caught red-handed that the false complaint came to be filed. It is also

contended that the victim used to get beaten by her husband and therefore, the victim lodged a complaint against her husband vide FIR No. 673/2025. Further, the husband of the victim has assaulted the father of the applicant and therefore, an offence under Section 118(2) of the B.N.S. also came to be registered against the husband of the victim. Even the FIR lodged by the victim against her husband reveals that her husband had an apprehension that she has a love affair outside of the marriage. In view of the aforesaid facts, a case is made out for anticipatory bail. Hence, the following order:

ORDER

- i) Pending application, in the event of arrest, the applicant be released on furnishing a P.R. Bond of Rs. 25000/- and one solvent surety in the like amount.
- ii) The applicant shall attend the concerned Police Station on every Tuesday and Friday, between 10.00 a.m. to 12.00 noon, for three weeks.
- iii) The applicant shall not tamper with the prosecution evidence and shall cooperate in the investigation.

JUDGE

Belkhede