



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

CRIMINAL APPLICATION (ABA) NO. 43 OF 2026

Ashish Shrikrushna Ingale

Vs.

The State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri G. R. Bhake, Advocate for applicant.
Ms. D. V. Sapkal, APP for non-applicant/State.
Shri Hariom V. Dhage, Advocate for assist to prosecution.

CORAM :- M. W. CHANDWANI, J.

DATED :- 12.03.2026

The applicant seeks anticipatory bail in connection with Crime No. 371/2025 registered with Police Station Patur, District Akola for the offences punishable under Sections 64(1), 331(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023.

2. Heard the learned counsel for the applicant as well as the learned APP for the State. I have gone through the case-diary.

3. It appears that on 25.12.2025, when the husband of the victim was on night duty, the applicant went to the house of the victim who was sleeping with her two daughters and one son. It is alleged that at about 1:00 am, the applicant came to the house of the victim. He shut her mouth with the help of a

handkerchief and by threatening to harm the children, he committed rape on the victim. It is also alleged that when she raised alarm, the relatives of the victim came there and saw that the applicant is fleeing the house of the victim. They then caught the applicant and assaulted him. Thereafter, the matter was reported to the Police.

4. The contention of the learned counsel for the applicant is that the victim was having an extra-marital relationship with the applicant. According to him, the victim's children (two daughters and one son) were present in the house and in that scenario, it was not possible for the applicant to commit forcible sexual intercourse on the victim. According to him, there is a history of calls exchanged between the applicant and the victim and the relationship between them is consensual.

5. It appears that the son and daughters of the victim were present in the house and it also appears that she raised alarm after rape was committed by the applicant. There is nothing on record to suggest that when she got to know that the applicant has entered the house, she raised her voice to alarm the children, who were present in the house. In this scenario, the possibility that the relationship between the applicant and the victim is consensual cannot be ruled out.

6. That apart, the applicant was protected by *ad-interim* order of this Court with a direction to appear before the concerned Police Station. Accordingly, he

appeared before the concerned Police Station and co-operated with the investigation. Therefore, a case is made out for confirming the *ad-interim* protection granted to the applicant vide order dated 22.01.2026. Hence, the following order:-

- i) The application is allowed.
- ii) The *ad-interim* protection granted to the applicant vide order dated 22.01.2026 is hereby confirmed on the same terms and conditions.
- iii) The applicant shall appear before the concerned Police Station as and when directed by the Investigating Officer.
- iv) The applicant shall not enter the vicinity of village Belura Khurd, Tah. Patur, District Akola till filing of the charge-sheet.

(M. W. CHANDWANI, J.)