

GAY
RAJE
SHIM

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1169 OF 2026

[REDACTED]

... Applicant

Versus.

The State of Maharashtra

... Respondent

Mr. Piyush Toshnival, Advocate for Applicant.

Ms. Pallavi Dabholkar, APP for Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 29th APRIL, 2026

PC. :

1. This Anticipatory Bail Application is circulated pursuant to the praecipe dated 29.04.2026, which is marked 'X' for identification. In view of the urgency expressed in the praecipe by Mr. Piyush Toshnival, learned Advocate for the Applicant, this Application was taken up on the "Production list"

2. Applicant is an accused in Crime bearing FIR No. 0091 of 2026 dated 14.04.2026, registered with the Vartak Nanded City Police Station, District-Pune ("FIR") for offences punishable under

Sections 351(2), 64(2)(m) and 74 of the Indian Penal Code. Applicant apprehending arrest in the FIR has filed Criminal Anticipatory Bail Application No. 1925 of 2025 before Court of the Special Judge (under the POCSO Act), Pune (hereafter “Special Judge”) under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Although the Special Judge issued notice, the request for ad interim bail was not granted. The Applicant is thus before this Court seeking interim bail pending the disposal of Criminal Anticipatory Bail Application No. 1925 of 2025.

3. Mr. Piyush Toshnival learned Advocate for the Applicant, submits that Criminal Anticipatory Bail Application No. 1925 of 2025 was filed before the Court of the Special Judge in the month of April 2026. He states that the said Anticipatory Bail Application was circulated before the Special Court on 20.04.2026. On that date, notice was issued to the Respondent-State and the Informant however, interim bail was declined, despite prayer to that effect being made. He submits that the date returnable in Criminal Bail Application No. 1925 of 2026 was 27th April, 2026. On 27th April, 2026, for reasons recorded in the roznama, the

Anticipatory Bail Application was adjourned and posted on 30th April, 2026. Roznama dated 20th April, 2026 and Roznama dated 27th April, 2026 relied upon by Mr. Piyush Toshnival are transcribed herein below:-

Date : 20-04-2026

Business	:	PO.is on leave. Adv. for applicant present. Exh. 1 Bail Application Exh.2 VPfiled by adv. Borkar for application - Seen. Exh.3 List of documents Exh.4 Ad interim application. Exh.5 Affidavit filed. Exh.6 Affidavit on Exh.1 filed. Order passed below Exh.1 Issue notice to Ld. App, I.O and informant/victim to say.
Next Purpose	:	Reply/Say
Next Hearing date	:	27-04-2026
DISTRICT JUDGE-10 AND ADDL. SESSIONS JUDGE PUNE		

Date : 27-04-2026

Business	:	Called on today Adv. for applicant present. APP for the state present. Exh.7 Say filed by I.O-R and R. Exh.8 Informant notice filed-Seen. Exh.9 VPfiled by adv.Swami for informant-Seen. Exh.10 Adj. Application filed by adv. for informant Exh.11 Citation Pursis filed-Seen. Informant has failed to file say.
Next Purpose	:	Reply/Say
Next Hearing date	:	30-04-2026
DISTRICT JUDGE-10 AND ADDL. SESSIONS JUDGE PUNE		

4. Mr. Piyush Toshnival, learned Advocate for the Applicant, submits that the Applicant has urgency in the matter, as the Applicant's marriage is scheduled for 04.05.2026. He refers to the wedding card appended to this Application in support of his contentions. He submits that all arrangements and preparations for the marriage are complete. He submits that although Criminal Anticipatory Bail Application No. 1925 of 2025 is fixed for 30.04.2026, it is likely to be adjourned, as the Informant is bound to seek time. He submits that the Informant is aware that the Applicant's marriage is fixed for 04.05.2026 and would attempt to delay the hearing of the Criminal Anticipatory Bail Application No. 1925 of 2025, thereby prejudicing the Applicant. He submits that the Applicant has more than a reasonable apprehension of being arrested at any time, hence, he expresses urgency and a need for protection. On merits of the bail Application, he submits that the Respondent No. 2 is a married woman with kids. He refers to a document at Exhibit -G (page nos. 65 to 67 of the paper book) and submits that the Applicant and Respondent No. 2 had settled the dispute; he emphasises that Respondent No. 2 is a signatory to the said document. He submits that the Respondent No. 2 has filed the

FIR with malafide intentions. He submits that the FIR is an abuse of the process of law. He submits that grave prejudice will be caused to the Applicant if interim protection is not granted till the marriage of the Applicant.

5. Ms. Pallavi Dabholkar, learned APP for the State, raises an objection to entertaining this Application on the ground of the Criminal Anticipatory Bail Application No. 1925 of 2025 being fixed before the Special Judge on 30th April, 2026. She submits that the Applicant should be relegated to the court of the Special Judge for arguing the Criminal Anticipatory Bail Application No. 1925 of 2025.

6. Mr. Piyush Toshnival states that Applicant will be ready to argue the Criminal Anticipatory Bail Application No. 1925 of 2025 on 30.04.2026 or any date that may be fixed by the Special Judge. He states that the Applicant will not seek any adjournment.

7. In the normal course, when the Criminal Anticipatory Bail Application No. 1925 of 2025 is pending before the Court of the Session Judge, it would be appropriate that the matter be left

to be considered by the Court seized of it. However, the circumstances stated by the Applicant herein above, which are not disputed by the prosecution, are compelling to entertain this Application.

8. Perused the impugned FIR. The allegations made by the Informant date back to 2018, when the Applicant and the Informant are alleged to have developed a relationship. The complaint is filed on 14.04.2026. Prima facie, the allegations in the impugned FIR suggest a love relationship between the Applicant and the Informant. The case put forth in the impugned FIR appears to be a relationship that has turned sour.

9. The Applicant is 31 years of age and the wedding is scheduled for 04.05.2026. Criminal Anticipatory Bail Application No. 1925 of 2025 is fixed for 30.04.2026 for the say / reply of the Complainant/victim. The Special Judge had issued a simplicitor notice on 20.04.2026.

10. Considering the above facts and the exceptional circumstance that the Applicant's marriage is scheduled for

04.05.2026, the Investigating Officer, Vartak Nanded City Police Station, District-Pune, investigating Crime bearing FIR No. 0091 of 2026 dated 14.04.2026, registered with the Vartak Nanded City Police Station, District-Pune, is directed not to take any precipitative steps against the Applicant till Criminal Application No. 1925 of 2026 pending before the Special Judge is decided and disposed of. The Special Judge is requested to make an endeavour to dispose of Criminal Application No. 1925 of 2026 expeditiously on its own merits after affording an opportunity to all the concerned parties and at any rate, within two (2) weeks from 30.04.2026.

11. Mr. Piyush Toshnival states that this order or the observations made herein shall not be used by him while arguing the Criminal Application No. 1925 of 2026 on merits. It is clarified that the observations made herein are prima facie and Criminal Application No. 1925 of 2026 should be decided without being influenced by them.

12. Mr. Piyush Toshnival states that this order will be placed before the Special Court on 30.04.2026.

13. Anticipatory Bail Application No. 1169 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)