

MHCC050036482025



IN THE COURT OF SESSIONS, AT DINDOSHI
BORIVALI DIVISION, GOREGAON, MUMBAI

ANTICIPATORY BAIL APPLICATION NO. 1014 OF 2025
IN
C. R. NO. 538 OF 2025

Smt. Renuka Pradeep Narale

Age : 33 years, Occupation : Maid

Residing at Ganesh Nagar,

Ichalkaranji, Taluka-Hatkangale,

District-Kolhapur.

...Applicant

VERSUS

The State of Maharashtra

(Through **Andheri Police Station**)

...Prosecution

Advocate Shri. D. M. Latake for the Applicant.
APP Shri. P. K. Mahajan the State/Prosecution.
Advocate Ms. Purvi Shah for the Informant.

CORAM : SHRI. B. D. PAWAR

Additional Sessions Judge,

Borivali Division, Dindoshi, Mumbai.

(Court Room No.4)

DATE : 25th July, 2025

:: ORDER ::

1. This application is filed for anticipatory bail as per Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with C.R.No.538 of 2025 registered at Andheri Police Station for the offences punishable under Section 69, 123, 308(2), 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita 2023.
2. Read the application and say filed by Investigating Officer and APP at Exhibit No.3. Read reply filed by the informant at Exhibit No.7. Heard Advocate Shri.D.M. Latake for the applicant, APP Shri.PK. Mahajan for the State and Advocate Ms.Purvi Shah for the informant.
3. Advocate Shri.Latake for the applicant submitted that the applicant apprehends arrest in C.R.No.538/2025 registered with Andheri Police Station. The applicant is falsely involved in this case. Hence, the applicant has filed this application for anticipatory bail.
4. Advocate Shri.Latake submitted that the applicant is wife of accused No.1. The informant has made allegation against accused No.1 that in the month of December 2024, accused No.1 taken her to hotel. There, he mixed something in the juice and gave it to her to drink. After drinking it, she became unconscious. Thereafter, accused No.1 committed rape on her. She also stated that accused No.1 made video of it.
5. Advocate Shri.Latake submitted that as far as the applicant is concerned, the informant made allegation that in the month of February

2025, she went to the house of applicant. At that time, the applicant shown her the videos and photographs and asked her to keep relations with her husband otherwise she will make the videos and photographs viral. The applicant had also taken ornaments from the informant.

6. Advocate Shri.Latake submitted that there is a delay in lodging the report for which there is no explanation. The relations between the informant and accused No.1 were consensual in nature. Applicant is not concerned with the allegations of rape made by the informant against the accused No.1. Advocate Shri.Latake submitted that applicant is made accused in this case only because she is the wife of accused No.1.

7. Advocate Shri.Latake submitted that the allegation made by the informant against the applicant are false. For the investigation of the offence, physical custody of the applicant is not necessary. Therefore, the applicant be granted anticipatory bail and she will abide by the conditions imposed.

8. APP Shri.Mahajan for the State submitted that the applicant is involved into commission of serious offence. She abated accused No.1 to commit the offence and threatened the informant to remain in the relations otherwise she will make the photographs and videos viral. APP Shri.Mahajan submitted that the applicant has produced the photographs on record. It shows that the photographs and videos are in custody of the applicant. Therefore, the digital device containing the photographs and videos needs to be seized.

9. APP Shri.Mahajan further submitted that the ornaments of informant are taken by the applicant. Those ornaments needs to be seized. For the investigation of the offence custodial interrogation of the applicant is necessary. Hence, the application be rejected.

10. Advocate Ms.Shah for the informant submitted that considering the nature of offence, delay in lodging the report is immaterial. In such cases, women do not rush to the police station apprehending defamation in the society. Therefore, only on the ground of delay, the applicant cannot be granted anticipatory bail.

11. Advocate Ms.Shah further submitted that the informant has made specific allegation that the applicant threatened her to remain in relation with accused No.1 otherwise she will make the videos and photographs viral. The fact that the applicant has produced certain photographs on record clearly shows that the videos and photographs are in custody of the applicant. There is every possibility that applicant may misuse the photographs and videos which are in her custody. Therefore, the photographs and videos needs to be seized.

12. Advocate Ms.Shah submitted that the ornaments of the informant are taken away by the applicant. Those need to be seized. For that physical custody of the applicant is necessary. Advocate Ms.Shah submitted that accused No.1 is in habit of blackmailing the person. A report is also lodged to Sitabardi Police Station, Nagpur against accused No.1 which shows that he blackmailed the applicant in that case as she demanded repayment of loan money.

13. Advocate Ms.Shah submitted that applicant has active role in the commission of offence. For the investigation of the offence, custodial interrogation is necessary. In such circumstances, the anticipatory bail application filed by the applicant be rejected. Advocate Ms.Shah to support her contention has relied upon the *judgment of Hon'ble Supreme Court in between Balvir Singh Versus State of Uttarakhand, Criminal Appeal No.301 of 2015 decided on 06.10.2023 reported in 2023 LiveLaw (SC) 861.*

14. I have gone through the report lodged by the informant. The informant alleged that in the month of December 2024, accused No.1 took her to the hotel. There, he mixed something in the juice and offered her to drink. When the informant drank it, she became unconscious. When she regained her consciousness, she found herself in the room of the lodge and realised that she has been raped. She further stated that on 05.012.2024 accused No.1 again took her to the hotel and raped her. He made videos of the physical relations.

15. The informant further stated that in the month of February 2025 accused No.1 took her to his house. The applicant was there at home. At that time, the applicant showed her photographs and videos and asked her to remain in relationship with accused No.1 otherwise she will make the videos and photographs viral. At that time, the applicant has taken her ornaments.

16. The applicant in this application has produced some photographs. This clearly shows that the photographs of the informant and accused

No.1 are in the custody of applicant. Considering the nature of offence, I am of the view that delay in lodging the report cannot be ground to grant anticipatory bail. I have gone through the *judgment of Hon'ble Supreme Court in between Balvir Singh Versus State of Uttarakhand*. In that case, an application was filed under Section 156(3) of Criminal Procedure Code for registration of First Information Report against the accused person. In that case, charge-sheet was filed and accused were convicted. In that case, the Hon'ble Supreme Court held that the Courts are expected to be sensitive in cases involving crime against women.

17. In this case, crime is committed against women and serious in nature. Therefore, only on the ground of delay, anticipatory bail cannot be granted to the applicant. In such circumstances, I am of the view that the applicant cannot be granted anticipatory bail. Hence, I pass the following order -

ORDER

1. Anticipatory Bail Application No.1014 of 2025 is rejected.
2. Anticipatory Bail Application No.1014 of 2025 is disposed off.

(B. D. PAWAR)
Additional Sessions Judge
Borivali Div., Dindoshi,
Mumbai.

Date : 25.07.2025

Dictated on : 25.07.2025
Transcribed on : 25.07.2025
Checked & Signed by HHJ on : 25.07.2025

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”	
25.07.2025 at 05:52 P.M. UPLOAD DATE AND TIME	Ms. Mayuri A. Manjrekar Stenographer (Grade-I) NAME OF STENOGRAPHER
Name of the Judge (With Court Room Number)	SHRI. B. D. PAWAR Court Room No.4
Date of Pronouncement of JUDGMENT/ ORDER	25.07.2025
JUDGMENT/ORDER signed by P.O. on	25.07.2025
JUDGMENT/ORDER uploaded on	25.07.2025