

MHTH230016352026

**REGULAR BAIL APPLICATION
NO.822/2026**



**Mukesh Kumar Dubey
V/s.
STATE
(Arnala Sagari Police Station)**

ORDER BELOW EXHIBIT NO. 1

Read application, say filed by I.O. at Exh. 06. Heard Ld. Advocate Mr. Kapil A. Rathod for applicant and Ld. APP. Shri. P. B. Bankar.

2] This is an application for Regular bail u/s.483 of BNSS, 2023 filed by accused-applicant **Mukesh Kumar Dubey** for releasing him in C.R. No.83/2026 of Arnala Sagari Police Station for the offences punishable under sections 69, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

3] **The case of prosecution in brief is as under:-**

Complainant, Shilpa Ramrasile Pandey is residing on address given in FIR along with her parents and elder brother. She is doing job. In the year 2021, she got acquainted with applicant at her workplace. Since they were working together, they became friends. Over period of time, their friendship turned into love relationship and they started loving each other. She and applicant used to regularly talk over the phone as well as meet in person. On 29/05/2023, applicant took her to Navapur Beach. After they reached there, applicant took her to Navapur resort. After entering the resort, applicant told her that he would marry her and started asking for physical relationship. She refused his request. Despite her refusal, he assured that he would marry her and thereafter had

physical relationship with her against her wish. After that, she repeatedly asked him to marry at that time, he gave assurances to her.

4] Thereafter, in 2024, parents, elder, and younger brother of applicant all came to her house and proposed for their marriage. Date of marriage and venue of marriage was fixed i.e on 03/03/2025 in Virar East. From January 2025, she noticed change in behaviour of applicant. Applicant began avoiding her and argued with her. When she told his mother about all this change, she told her that applicant is not ready to marry her. Even then, she continued trying to talk and tried to convince applicant. Thereafter, applicant started staying separate in rented house in Ghas Kopari. She visited him whenever he called her. He then showed his willingness to marry her. Thereafter, in February 2026, he again refused to marry her despite repeated attempts to convince him. On 25/05/2026, after an argument with him over the phone, he abused, threatened her and told to come and meet him. When she refused to meet him, he threatened to commit suicide, and told that she will be responsible for anything that will happen. He also threatened her by sending messages on Instagram stating that she will be responsible if anything happens to him. Complainant then lodged complaint in Arnala Sagari Police Station. On report of complainant, offence was registered at C.R.No. 83/2026.

5] I.O. has filed his say at Exh.06 and strongly opposed the application. It is submitted that offence is of serious nature. Applicant had physical relationship with complainant against her wish and promised to marry but did not marry thereby cheated her. Applicant

will repeat the offences. Therefore, he needs to be restrained. There is every likelihood of accused pressurizing the victim and witnesses, if released on bail. Therefore, I.O. has prayed for rejecting the bail application.

6] Perused the file. Offences levelled against applicant are under sections 69, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023. On perusal of print outs of photographs of both applicant and complainant, it prima-facie appears that there was affair in between them. The story of the prosecution also reflects that both applicant and complainant were in love with each other. The print outs of the chats tendered on record by applicant reflect that applicant had physical relationship with complainant which is also the story of prosecution. The story of the prosecution further reflects that their marriage was fixed by their parents, but it is applicant who had taken step back and denied to marry complainant. Applicant was then tried to be convinced by complainant. Applicant though again agreed to marry complainant but again refused. Applicant has misused their relationship by giving false assurances of marriage to complainant. Therefore, prima-facie case is made out by complainant. If the prayer of the applicant is considered, the possibility of applicant repeating the offence, threatening the complainant cannot be ruled out. Therefore, his prayer cannot be considered. In result, I proceed to pass following order.

ORDER

	Application is rejected.
	(Order is dictated and pronounced in open Court).

Vasai.

Date : 12/08/2026.

(C. P. Jain)

Additional Sessions Judge, Vasai