

MHTH230019072026

CRIMINAL BAIL APPLICATION

NO.989/2026



Adit Kanchan Gupta

Vs.

STATE

(Virar Police Station)

ORDER BELOW EXHIBIT NO. 1

Read application, say filed by I.O. at Exh.04. Heard Ld. Advocate Mr. Altamash Khan for applicant and Ld. APP. Shri. P.B. Bankar. Heard Ld. Advocate Durgesh Vaish/Adv. Krutika Patil for intervener.

2] This is an application for Regular bail u/s.483 of BNSS, 2023 filed by accused-applicant **Adit Kanchan Gupta** for releasing him in C.R. No.363/2026 of Virar Police Station for the offences punishable under sections 69 and 89 of the Bharatiya Nyaya Sanhita, 2023.

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

Complainant Kajal Govind Paswan, is residing since last 10 years along with her parents and brothers. She and her father were employed in private jobs. She got acquainted with Applicant Aditya Kanchan Gupta on 25/02/2022. Later, their acquaintance turned into love relationship. At that time, applicant broke her mobile phone and SIM card and purchased a new phone and SIM for her. He used to promise her that he will marry her. However,

she repeatedly told him that she would think about it. However, he insisted her to meet. Therefore, on 13/06/2022 at about 7:00 a.m., when Aditya came to her house to meet her, at that time, without telling anyone at home, she went with Aditya on his bike to his residence at Barafpada. His mother had gone out for work at that time. On 13/06/2022 at about 8:00 a.m., Aditya promised her that he will marry her and had physical relationship with her. Thereafter, he dropped her home on his bike. Even thereafter he used to call her from time to time, take her to his home, and continued to have physical relationship with her. Thereafter, on 09/09/2023, as she was unwell, she underwent blood test. The report showed that she was pregnant. She informed Aditya Gupta about this. He then gave her a pill for abortion on 20/09/2023. Thereafter, Aditya told her that he had important work in Delhi and that he would return within 10 days. He left and returned after about two months. When her father came to know that she was pregnant, he asked Aditya to take responsibility of the pregnancy. Aditya stated that his financial condition is not good and that his father had demised recently and he promised to marry her after two years. She was given the abortion medicine/tablets resulting in death of foetus in the womb. Subsequently she suffered heavy bleeding. During the year 2025, Aditya told her that he would marry her after he gets settled in his job. He continued to have physical relationship with her. In April 2026, she was again pregnant. At that time, on 26/05/2026, Aditya took her to Savera Lodge at Nallasopara. There he had physical relationship with her and again gave her tablets for terminating the pregnancy. She

forcibly took them and abortion had taken place. She asked applicant for marriage, but he refused to marry her. Therefore, complainant came to know that she is cheated by Aditya. Therefore, complainant had reported to Virar Police Station. On report of complainant, offence was registered at C.R. No. 363/2026.

4] I.O. has filed his say at Exh. 04 and strongly opposed the application. It is submitted that offences are of serious nature. Applicant had physical relationship with complainant. 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.

5] Perused the file. Offences levelled against applicant are under sections 69 and 89 of the Bharatiya Nyaya Sanhita, 2023. If the print outs of photographs and chats of complainant and accused tendered by applicant on record, the story of prosecution, is taken into account, it is appearing that there was consensual relationship in between applicant and complainant. Complainant is major aged 23 years and applicant is 24 years old. Both are in the age of understanding the implications of their acts. Considering the allegations levelled against applicant, same needs to be proved and same can be done only at the time of trial. Therefore, observations in the case of **Sanjay Son of Ganpatrao Patil Vs State of Maharashtra, in Anticipatory bail application NO.3303/2025**

decided on 19.06.2026 squarely applies. It will take considerable time to conclude the investigation and filing of charge-sheet and commencement and conclusion of the trial. The judicial custody of accused for the indefinite period is not warranted. The apprehension of prosecution that the applicant will tamper with evidence and he will abscond if released on bail and will pressurize the victim and witnesses, can be taken care of by imposing stringent conditions. Considering aforesaid facts and circumstances of the case, it would be proper to release the applicant/accused on bail by imposing stringent conditions. In result, I proceed to pass following order.

ORDER

1.	Application is allowed.
2.	Applicant Adit Kanchan Gupta is released on bail in C.R. No.363/2026 of Virar Police Station for offences punishable under sections 69, 89 of the Bharatiya Nyaya Sanhita, 2023, upon his executing P. R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one solvent surety in like amount on following conditions; i) he shall attend each and every date fixed by the Court, unless exempted. ii) he shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any Police Officer. iii) he shall not tamper with the evidence of prosecution in any manner. iv) he shall not make contact in any manner with the

	informant and witnesses. v) he shall furnish his current address proof and mobile phone number while furnishing surety. vi) he shall not enter in the vicinity of the house of complainant till conclusion of trial. vii) he shall not enter the Entire Nallasopara (East) till further order.
3.	In case accused is not able to furnish surety, then he will be at liberty to furnish cash surety of Rs.20,000/- (Rs. Twenty Thousand only). He shall furnish the surety of Rs.50,000/- (Rs. Fifty Thousand only) as directed, within two months thereafter, failing which this order shall stand vacated.
4.	The prosecution/victim will be at liberty to file an application for cancellation of bail, in case, the applicant/accused violates any of the aforesaid conditions.
5.	Inform concerned police station accordingly.
6.	Applicant be informed about this order by e-mail through Superintendent, District Prison, Thane.
	(Order is dictated and pronounced in open Court).

Vasai.

Date :11/08/2026.

(C. P. Jain)

Additional Sessions Judge-2, Vasai.