

MHPU010029572026



Order below Exh. 1 Cri. Anticipatory Bail Application No. 1258/2026

Apprehending the arrest in connection with C.R. No. 114/2026 registered in Hinjewadi Police Station under Section 352, 115(2), 85 r/w 3(5) of the Bharatiya Nyaya Sanshita (BNS), the applicants **1) Basaprabhu Desai, 2) Jayshree Basaprabhu Desai, 3) Swati Sunil Tavdare, 4) Santosh Baburao Belgudri and 5) Appaya Basvanni Girpagol** have filed this application for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS). They contend that this is their first bail application and no other bail application is filed in any other Court.

2. The applicant No. 1 and 2 are the in-laws of the informant Jyoti Tejas Desai and the applicant No.3 is the maternal aunt of her husband, No.4 is his maternal uncle and No.5 is the friend of the applicant No.1 who helped to arrange the marriage between the informant and her husband.

3. The informant lodged complaint to the Hinjewadi police station on 25/02/2026 alleging that she married to the accused No.1 Tejas on 17/01/2020 at Gadhinglas, Dist. Kolhapur. The married couple then shifted to Pune where the accused No.1 was serving. After some time the accused No.1 went Australia and the informant started residing with her in-laws. During that period, her in-laws were insulting her saying that her parents have not spent in her marriage as their expectations. They were saying that she shall beget a son otherwise, she shall miscarry.

4. After one year, the husband of the informant returned to India and the in-laws of the informant told her that she may demand the money of the vehicle but she shall not keep contact with her husband. Her husband was also keeping distance with her. The informant and her husband went to Goa to celebrate their first marriage anniversary. Her husband offered her liquor but she refused to drink and he abused and assaulted her on that ground and made her to wait out of the hotel for whole night. After return to home the informant complained about the behavior of the husband with her at Goa but she threatened her that she shall act as per the wish of her husband. Her husband was having love affair with one Anusha and he was making phone calls to her to marry her even after his marriage with the informant. Other accused were instigating her husband and he was physically and mentally illtreating her. A meeting was called between family members of both the families but no workable solution was found and the informant came to be driven out of her matrimonial house. The informant has filed HMP No.215/2025 and PWDV Application No.8127/2025. According to her, from 10/01/2021 to 03/11/2024, she was subjected to cruelty by the accused. The FIR has been lodged on 25/02/2026.

5. The learned advocate for the applicants submits that this FIR has been lodged only with an intention to settle the scores with the husband and these applicants have been falsely implicated. The informant neither resided with the applicants nor they illtreated her for any illegal demands. Therefore, no prima facie offence could be made out against them. Police are making phone calls to them and thus, they have reasonable apprehension of their arrest.

6. The I.O. has opposed this application by filing say (Exh.4) on the ground that the offence is serious and is against woman. The applicants have not cooperated in the investigation and they will not cooperate if released on bail. If this accused are released on bail, they would pressurize the informant. Shri Ghogare-Patil, the learned APP has opposed this application on the similar grounds.

7. Having considered the rival submissions, the FIR has been lodged belatedly and the explanation in that regard is not forthcoming. The IO has to conduct the preliminary inquiry and then decide whether the arrest of the applicant is necessary. For this, suitable conditions would serve the purpose. Considering the nature of the offences and the scope of the investigation, I deem it proper to release the applicants on anticipatory bail on certain conditions. Hence, the order.

ORDER

1. Application is allowed.
2. In the event of arrest of the applicants **1) Basaprabhu Desai, 2) Jayshree Basaprabhu Desai, 3) Swati Sunil Tavadare, 4) Santosh Baburao Belgudri and 5) Appaya Basvanni Girpagol** in connection with C.R. No. 114/2026 registered in Hinjewadi Police Station under Section 352, 115(2), 85 r/w 3(5) of the Bharatiya Nyaya Sanshita (BNS), they be released on bail on their furnishing P.R. of the sum of Rs.30,000/- with one surety of the like amount each on following conditions-
 - a) The applicants shall not directly or indirectly contact the informant or shall not make any inducement, threat or promise to her or any person acquainted with the facts of the case, so as to dissuade her or them from disclosing such facts to the Court or to any Police Officer.

- b) The applicants shall furnish the proof of their permanent residence and their contact numbers and also the contact numbers of their two near relatives and shall update such information as and when there is any change therein.
3. The breach of any of these conditions may entail a ground for cancellation of this bail forthwith.
4. Issue letter to Hinjewadi police station accordingly.

Pune
Date: 23/03/2026

(S.R. Salunkhe)
Addl. Sessions Judge, Pune.