



IN THE COURT OF SPECIAL JUDGE AT PANVEL, DISTRICT- RAIGAD

CRIMINAL BAIL APPLICATION NO.185/2026

Sanjay Rajender Sharma --- Applicant

Vs.

The State of Maharashtra --- Respondent

Corum - Santosh C. Shinde

Date - 12th March 2026

Appearance-

Ld. advocate Mr. Ankit Bangera for applicant.

Ld. Addl. P. P Smt. Wade for the State of Maharashtra.

Informant & Investigation officer in person.

Order Below Exh.1

1. Heard Ld. advocate Mr. Ankit Bangera for the applicant & Ld. Addl. P. P Smt. Wade for the State.
2. Application is filed for anticipatory bail.
3. Notice was issued to victim, State of Maharashtra & investigation officer. Say is filed at exh.5 and application is strongly objected.

4. Perused FIR, say & documents filed by the parties.
5. FIR is registered by victim. Victim is married woman and in the year 2012, her marriage was performed with one Surajbhan Rathod and she has a son aged 12 years from that wedlock. Her first husband has performed second marriage therefore, she is residing separately from him and her son is in hostel for education. In the year 2023 she got acquainted with applicant and both had exchanged their mobile number. They were meeting with each other. Applicant has also informed victim that he is married but there is matrimonial discord between him and his wife.
6. FIR shows that on 6th June 2025, victim met with an accident and applicant had bore her medical expenses. From 11th June 2025 both were residing in a flat situated at India Bull society, Panvel. They had sexual intercourse therefore, victim was pregnant but on 26th September 2025, fetus was aborted. Thereafter, also there were sexual intercourse between them and again, victim become pregnant therefore, she had informed this fact to applicant and on assurance of marriage by applicant both decided to grow up the child.
7. FIR further shows that on 30th January 2026, applicant left her house and said that he is not able to marry her and she can file complaint anywhere. Thereafter, he never met her and avoided to receive her phone calls therefore, FIR is registered.
8. Ld. advocate for submitted that applicant is married lady and she has a son. Since the year 2023, both are familiar to each other and they were meeting each other. She was aware about

previous marriage of applicant. Applicant had never made false inducement. It is simple case of breakdown of relationship between two consenting adults. There is delay in lodging FIR. For investigation, custody of applicant is not required therefore, applicant to be protected by granting anticipatory bail.

9. Ld. advocate for accused has relied upon judgment of Hon'ble Supreme Court in **Beerbal Prasad Rajoriya Vs. State of Madhya Pradesh [2022 ALL SCR (Cri) 1760]** & judgment of Hon'ble Bombay High Court in **Vishal Nagnath Shinde Vs. The state of Maharashtra & Anr. [A.B.A. No.2605/2024 decided on 26/09/2024]**, **Mahesh Balkrishna Dandane Vs. The State of Maharashtra [2015 ALL MR(Cri) 2805]**, **Sidhant Anandrao Sonkamble Vs. The State of Maharashtra [A.B.A. No.170/2022 decided on 28/03/2022]** & judgment of Hon'ble Kerala High Court in **Omar Abdul Wahab @ Omar Lulu Vs. State of Kerala & Anr. [2025 ALL MR (Cri) JOURNAL4]**. I have considered these citation while deciding this bail application.
10. Ld. Addl. P. P submitted that applicant on promise of marriage had committed sexual intercourse and thereafter, refused to marry her. He has cheated victim. Offence is serious in nature. Investigation is pending therefore, custody of applicant is required.
11. Investigation officer submitted that medical medical examination of applicant is pending.
12. Victim submitted that bail should not be granted to applicant and who will pay her medical expenses.

13. From record, it becomes clear that applicant & victim both are married. Both had knowledge about their previous marriage. In the year 2023, victim & applicant got acquainted with each other and they were meeting each other. Since, June 2025 both were residing in live in relationship in one flat and they had sexual intercourse whereby victim was pregnant. First pregnancy of victim was aborted. Thereafter also, they had sexual intercourse whereby victim become pregnant. In the month of January 2026, applicant left the company of victim and thereafter, he avoided to pick up her phone calls and to meet her.
14. Victim & applicant both are major. Both knows repercussions of their acts & behaviour. Both have lived together for considerable time. Victim is married and if observation of Hon'ble Bombay High Court in Vishal Nagnath Shinde (Supra) case is considered then observation in that judgment are applicable to facts of the present case and it cannot be said that victim fell pray to false promise of marriage.
15. Applicant is married man and this fact was known to victim therefore, theory of false promise of marriage prima-facie appears to be misplaced. Interim protection application filed by applicant was rejected. If facts of present case are considered then no recovery or discovery is to be made from applicant. Only for purpose of medical examination of applicant, his physical custody is not required. Applicant has made out case for granting anticipatory bail. As a result, I pass following order.

ORDER

1. Application is allowed.
2. In the event of arrest of applicant Sanjay Rajender Sharma in connection with crime No.48/2026 registered at New Panvel Police Station, Navi Mumbai for offences punishable u/s.64(2)(m), 69 & 351(2) of the BNS, 2023, he be released on furnishing P.B & S.B of Rs.30,000/- (Rupees Thirty Thousand) with one or two surety in like amount.
3. Applicant shall co-operate in investigation and as & when required, make himself available for investigation & medical examination.
4. Applicant by any mode of communication shall not contact to victim or her family members.
5. Applicant shall not enter the area where victim ordinarily resides or works for gain.
6. Applicant shall not leave India without previous permission of the Trial Court.
7. Applicant shall not, directly & indirectly make any inducement, threat or promise to any person acquainted with facts & circumstances of the case so as to dissuade him from disclosing such facts to police and the Court.
8. Applicant shall furnish his permanent & temporary residential proof, valid e-mail ID and mobile number.

9. Breach of any condition shall be ground for cancellation of bail.
10. Inform concerned police station accordingly.
(Application is disposed of accordingly)

Panvel
Date - 12/03/2026

(Mr. S. C. Shinde)
Special Judge, Panvel,
Dist.-Raigad