



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL (ST) NO. 24776 OF 2025

Sandeep Anand Jathar ...Appellant

V/s.

The State of Maharashtra and Anr. ...Respondents

Adv. Satyavrat Joshi, i/b Adv. Samay Pawar a/w Adv. I. Pandit, Adv. Ishan P., Adv. Malhar Kadam, Advocate for the Appellant.
Mr. P. H. Gaikwad, APP for the Respondent No.1/State.
Mr. Shailesh Kharat, a/w Mr. Vishvajeet Nimbalkar, Advocate for the Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 01.04.2026.

P.C. :

1. This appeal takes exception to the order dated 20.03.2025 passed by the Special Court, Pune, in Criminal Bail Application No. 69 of 2025. By the order impugned, the learned Special Court has rejected the bail application filed by the present appellant for bail.

2. The appellant came to be arrested in Crime No. 672 of 2024 registered at Bharati Vidhyapeeth Police Station, for the offences punishable under Sections 376, 504, 504 read with 34 of



the Indian Penal Code, Sections 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(1)(w)(ii) & 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 7(1)(d) of the Protection of Civil Rights Act.

3. According to the prosecution, the appellant and the prosecutrix got acquainted with each other through Shadi.com app. It is alleged that though the present appellant was married, he represented to the prosecutrix that he is unmarried. It is alleged that the appellant assured to marry the prosecutrix and on that pretext established physical relations with her. It is alleged that later on he refused to marry the prosecutrix on the ground that she belongs to a Scheduled Caste.

4. I have heard the learned counsel for the appellant, the learned APP for the respondent-State and the learned counsel for the prosecutrix.

5. The learned counsel for the appellant submits that the appellant is in jail for one year and four months and the trial has not commenced. It is submitted that the alleged relationship between the appellant and the prosecutrix was consensual. It is



submitted that considering the facts and circumstances the appellant be released on bail.

6. On the other hand, the learned APP for the respondent-State and the learned counsel for the prosecutrix submit that the present appeal is not maintainable, as the earlier appeal was withdrawn. It is submitted that even otherwise considering the nature of crime, the appellant may not be released on bail.

7. I have perused the order dated 25.08.2025 passed by this Court in Criminal Appeal No. 384 of 2025. Though the said appeal was withdrawn a specific liberty was granted to the appellant to file a fresh appeal after three months. In that view of the matter, I am not inclined to accept the submission of the learned APP and the learned counsel for the prosecutrix that the present appeal is not maintainable.

8. The appellant is in jail for one year and four months. The fact that the trial has not commenced is not disputed. Considering the overall facts and circumstances of the case, I am inclined to release the appellant on bail. In the result, the following order is passed :



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ORDER

- a) The Appeal is allowed.
- b) The order impugned is set aside.
- c) The Appellant shall be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

[N.R.BORKAR, J.]