

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).21199/2025

[Arising out of impugned final judgment and order dated 18-12-2025 in CRA No.461/2025 passed by the High Court of Judicature at Bombay]

RHYTHM ARVIND GOYAL

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 336068/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 336069/2025 - EXEMPTION FROM FILING O.T.)

Date : 29-12-2025 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
(VACATION BENCH)

For Petitioner(s) :Mr. Siddhartha Dave, Sr. Adv.
Mr. Purvish Malkan, Sr. Adv.
Mr. Tushar Giri, AOR
Mr. Shivamsinh Deshmukh, Adv.
Mr. Sahil Bhalaik, Adv.
Mr. Sharian Mukherji, Adv.
Mr. Ritik Arora, Adv.
Mr. Siddharth Anil Khanna, Adv.
Mr. Shivam Mishra, Adv.
Ms. Gulshan Jahan, Adv.

For Respondent(s) : M. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

Mr. Chritarth Palli, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned senior counsel for the petitioner at considerable length.
2. Issue notice.

3. Mr. Aaditya Aniruddha Pande, AOR and Mr. Chritarth Palli, AOR accept notice on behalf of respondent nos.1 and 2, respectively.
4. The petitioner was released on regular bail by the Sessions Court in FIR No.1102 dated 19.11.2025 registered at Police Station Amboli, Mumbai under Sections 74, 79, 89, 118(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short, the "BNS"). The Trial Court released the petitioner on bail on the grounds of (i) non-compliance of Section 35(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, the "BNSS"); and (ii) non-compliance of Section 48 of the BNSS.
5. The High Court in an appeal preferred by the victim, has examined both the grounds elaborately.
6. In our considered opinion, the conclusions drawn by the High Court are legally correct, and as such, the impugned order judgment does not warrant any interference. The Sessions Court committed a patent error in entertaining these grounds and allowing the bail application of the petitioner.
7. However, we find that the High Court has noticed and rightly so that the petitioner's prayer for bail on merits was not considered by the Sessions Court.
8. That being so, we dispose of this special leave petition with the following directions:
 - (i) The petitioner, if so advised, may surrender within one week, as directed by the High Court.
 - (ii) Thereafter, he may apply for his release on bail on merits before the Sessions Court. Such an application shall be considered as per its own merits without being influenced by the impugned

judgment of the High Court or the fact that we have declined to entertain the instant special leave petition.

(iii) The Sessions Court is directed to decide the bail application expeditiously and preferably within one week.

9. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR