

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 68 OF 2020

Dhanraj Manikrao Wasekar .Vs. State of Maharashtra, through PSO, P.S.
Sawngi (Meghe), Dist. Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. T.G. Bansod, Advocate for applicant.
Mr. P.S. Tembhare, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : FEBRUARY 05, 2020

This is an application for regular bail.

Heard Mr. T.G. Bansod, learned counsel for
the applicant and Mr. P.S. Tembhare, learned Additional
Public Prosecutor for non applicant-State.

The applicant is arrested on 11.12.2019 in
connection with Crime No.628/2019 registered with
Police Station, Sawngi (Meghe), Wardha for an offence
punishable under Sections 354A and 506 of the Indian
Penal Code and under Sections 8 and 10 of the
Protection of Children from Sexual Offences Act.

Learned Additional Public Prosecutor submits
that earlier to lodgment of report against the applicant
by mother of the victim the applicant himself lodged a
report with Police Station, Sawngi (Meghe) therefore
false implication of the applicant is not completely ruled
out. He further submits that charge-sheet is yet to be

filed however on the basis of investigation papers available with him, he fairly submits that the investigation is almost over.

On 11.12.2019, the applicant approached to police station and lodged a report that in his agricultural field one Seema, surname was not known to him, stays in the cattle-shed situated in the agricultural field and in that she has indulged into illegal liquor sell. Therefore he asked her to vacate the said place. Upon that she threatened that she will implicate the applicant falsely. The said report was lodged on 13:46 hours.

Applicant is arrested in Crime No.628/2019 lodged by Nikita Chavare, the mother of the victim. It is lodged on 11.12.2019 at 21:14 hours. From the First Information Report (FIR) it is clear that she along with her husband and victim used to stay in the cattle-shed situated in the agricultural field which was taken by the applicant on rent.

According to the FIR, on 11.12.2019 at 11:00 in the morning, when she came from outside, victim disclosed to her that applicant touched her breasts.

In view of the fact that there is earlier report lodged by the applicant and there is delay in lodging the report and investigation is almost over, in my view, applicant can be released on bail. Consequently, I pass the following order:

ORDER

- (i) The application is allowed.
- (ii) Applicant – Dhanraj Manikrao Wasekar be released on bail in connection with Crime No.628/2019 registered with Police Station, Sawngi (Meghe), Wardha for an offence punishable under Sections 354A and 506 of the Indian Penal Code and under Sections 8 and 10 of the Protection of Children from Sexual Offences Act, on he executing P.R. bond in the sum of ₹25,000/- with one solvent surety in the like amount.
- (iii) The applicant is directed to attend Police Station, Sawngi (Meghe), Wardha twice in a week i.e. on every Monday and Friday and shall be with the investigating officer from 11:00 a.m. to 05:00 p.m., till filing of the charge-sheet.
- (iv) After filing of the charge-sheet, the applicant shall attend Police Station, Sawngi (Meghe), Wardha twice in a month i.e. on first Monday and third Saturday of each month and shall be with the investigating officer from 11:00 a.m. to 05:00 p.m., until culmination of the trial.

The application is disposed of.

JUDGE