

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1376 of 2020

Shubham Suresh Thorat	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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Mr.Rajesh More for the applicant.
Ms.Priyanka Chavan for respondent no.2.
Mr.S.R. Agarkar, APP for the State.
API Santosh Koli from Chaturshringi Police Station, Pune city
present.

CORAM: BHARATI DANGRE, J.
DATED : 18th JUNE 2021

P.C:-

1 Application is preferred by the applicant who came to be arrested on 5th February 2020 and charge-sheeted in C.R.No. 140 of 2018 registered with Chaturshringi police station, thereby invoking Sections 377, 323, 506 of the IPC and Section 3(a), 3(c) read with Sections 4, 5(e), 5(m) read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO). The applicant is a young lad aged 20 years. On 22nd December 2020, his application was extensively considered by me. Noting that the applicant is of young age and by applying the reformatory methodology which aim to curb the crimes and

reforming the convicts, the benefit was extended to the present applicant though it was noted that the applicant was already in conflict with law, with a hope and trust that his incarceration would do more harm to him, I deemed it fit to grant him one more opportunity. By the very same order, he was also referred to clinical psychologist and report was also received.

2 In terms of the said order, he was released on interim bail. However, the theory of reformation which was invoked by me to avoid his brush with the hardened criminal prisoners proved to be in vain when the complainant preferred the application (Interim Application No.596/21 dt. 6/2/21) seeking cancellation of the bail granted to the applicant on the ground that he attempted to pressurize the victim boy. The complainant alleged that there was breach of conditions of the bail and when the applicant stepped in the jurisdiction of Chaturshringi police station, and an application was preferred to the PI of Chaturshringi police station. The complainant narrated that being on interim bail, the victim boy was threatened and verbally abused the victim boy. Pursuant to which N.C. came to be registered on 26th January 2021. The applicant was directed to file his response to the said application, which he did and denied his presence in Janwadi area and the explanation was that the applicant had met with an accident and in fact, was unable to move when the incident is alleged to have taken place. However,

when confronted with the video which the police relied upon, which was recorded by the aunt of the victim boy, the learned counsel Mr. More accede to the factual position and in presence of the father of the applicant.

3 In such circumstances, when I expressed that I am not inclined to continue the interim relief, learned counsel Mr. More seek liberty to withdraw the said application, after enjoying the interim protection for a good period of time. He assured that the applicant will surrender before the Chaturshringi police station on or before 5.00 p.m of 22nd June 2021. In case of any failure to abide by the aforesaid undertaking, the Investigating Officer, Chaturshringi police station is directed to effect the arrest of the applicant on 23rd June 2021.

4 Application stands disposed of as withdrawn.

SMT. BHARATI DANGRE, J