

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2790 OF 2021

Sanjay @ Sanjaykumar Shahaji Chalekar
& Anr.

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Makarand Kale for the Applicant.

Mr.Y.Y. Dabke, APP for the Respondent –State.

Mr.Raju B. Chaugule, PHC-811, Sangola Police Station, Solapur
(Rural).

CORAM : C.V. BHADANG, J.

DATE : 24 JANUARY 2022

P.C.

. Heard learned counsel for the parties.

2. The learned counsel for the Applicants states that the Applicant No.2 was arrested and has been released on regular bail. Thus the present Application for anticipatory bail only survives insofar as the Applicant No.1 is concerned.

3. The offence at Crime No.1218 of 2021 of Sangola Police Station, District-Solapur under Section 354A, 354D, 452, 324, 143, 147, 148, 149, 506 of the Indian Penal Code and section 67, 67A, 67B of Information Technology Act and Section

12 of Protection of Children from Sexual Offences Act, 2012 was registered on the basis of the complaint lodged by the father of the victim-girl who at the relevant time was aged about 17 years and 11 months.

4. The principal accused is said to be the driver of the school bus in which the victim used to travel to her school. The material allegation is that the principal accused coerced the victim to send her obscene photographs. The victim sent such photographs to the accused No.1 which were made viral on a Whats App group.

5. The allegation insofar as the present Applicants is that on 18 September 2021 at about 8.00 p.m. the Applicants along with others visited the house of the first informant in his absence and assaulted his wife and mother with stones. Thus, *prima facie* it appears that the allegation against the present Applicant No.1 is not regarding any offence under the POCSO Act. The injury certificate of the injured shows that they have suffered simple injuries.

6. The learned Additional Public Prosecutor submitted that the investigation is almost complete and the charge-sheet will be filed shortly. Some of the accused have been released on bail and the co-accused Ramesh Chalekar with similar allegation of an

assault on the wife and mother of the informant has been granted interim protection by this Court in ABA No.1780 of 2021 on 4 November 2021.

7. Considering the overall circumstances, the following order is passed.

ORDER

(i) In the event of his arrest in connection with investigation of Crime No.1218 of 2021 of Sangola Police Station, District-Solapur, the applicant-Sanjay @ Sanjaykumar Shahaji Chalekar, shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall attend concerned Police Station on 1 and 2 February 2022 between 11.00 am to 1.00 p.m. and as and when called by the investigating officer and shall co-operate with the Investigating Agency.

(iii) The applicant shall not tamper with the prosecution evidence/witnesses.

(iv) The Criminal Application is disposed of in the aforesaid terms.

C.V. BHADANG, J.