

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

BAIL APPLICATION NO.116 OF 2023

Vishal Vyankat Jadhav

..Applicant

VS.

The State of Maharashtra and Anr.

..Respondents

Adv. Anjali Patil for the Applicant.

Ms. A. A. Takalkar, APP for the State.

PSI- Vijay Mohite, Park Site Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 2, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail by the applicant- Vishal Vyankat Jadhav in connection with C.R. No.271 of 2022 dated 10/05/2022, registered with Parksite Police Station, under sections 363, 376 and 506 of the Indian Penal Code, 1860 and sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The FIR was registered on 10/05/2022 by the mother of the victim. The applicant is arrested on 01/08/2022. At the relevant time, the age of the victim was 15 years and

the applicant was 21 years of age. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet has been filed.

4. I have heard learned counsel for the complainant. The complainant and the victim are present in the Court today. Learned counsel for the complainant submitted that the applicant and the victim shared cordial relations and therefore the complainant as well as the victim have no objection, if the applicant is released on bail.

5. So far as the alleged offence is concerned, the same is serious in nature. The victim is minor of 15 years of age. From the statement of the victim, though it appears that the relationship was consensual in nature, the victim being minor her consent is immaterial. Considering the fact that the investigation is complete and the charge-sheet has been filed and even as per the statement of the learned counsel for the complainant that the complainant and the victim have no objection if the applicant is released on bail, no fruitful purpose will be served by detaining the applicant in custody as he is a young boy of 21 years of age. Hence, the

following order.

ORDER

(a) Applicant- Vishal Vyankat Jadhav in connection with C.R. No.271 of 2022, registered with Parksite Police Station, shall be released on bail, on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount;

(b) The applicant is permitted to furnish temporary cash bail surety, in the sum of Rs.15,000/-, for a period of 6 weeks, in lieu of surety;

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence;

(d) The applicant shall regularly attend the trial on the dates fixed;

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

6. The application is disposed of.

(M. S. KARNIK, J.)