

Urmila Ingale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1836 OF 2022**

Mr. Pankaj Azad Pandey	..Applicant
Vs.	
1. The State of Maharashtra	
2. XYZ	.. Respondents

Mr. Saumil Kothari a/w Mr. Avinash Undhare i/b Gobindram
D. Talreja & Associates, for Applicant.
Mr. S. V. Gavand, APP for State.
Mr. Sugdare, for Respondent no. 2.

**CORAM : M. S. KARNIK, J.
DATE : JANUARY 5, 2023**

P.C. :

- 1.** Heard learned counsel for the applicant, learned APP and learned counsel for respondent no.2.
- 2.** This is an application for bail filed by the applicant -Mr. Pankaj Azad Pandey in respect of C.R. No. 150 of 2021 dated 30/04/2021 registered with Rabale Police Station for the offence punishable under sections 376(2)(n), 376(3) of the Indian Penal Code, 1860 and Sections 4, 6 of Protection of Children from Sexual Offences Act, 2012.
- 3.** I have requested Mr. Sukhdare to represent the victim. I have heard him.

4. The complaint was made on 30/04/2021 by the mother of victim. The age of the victim was 13 years at the relevant time. The applicant was 31 years of age. The applicant is known to the victim. The mother of the victim is a vegetable vendor. On the pretext of getting change to paying for the vegetables purchased, the applicant called the victim home and committed forcible sexual intercourse with her. The statement of the victim under section 164 was recorded on 06/05/2021 narrating the incident. The victim was taken to the doctor. It was realised that the victim was pregnant. The victim underwent an abortion. DNA profile obtained of twin babies concluded the applicant and the victim to be biological parents of the twin babies. Considering the serious nature of the allegations, this is not a fit case for grant of bail.

5. The application is rejected.

6. I appreciate the assistance rendered by learned advocate Mr. Sugdare who was requested to appear on behalf of the victim.

(M. S. KARNIK, J.)