

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3269 OF 2021**

Bhalchandra S. Deshpande

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

.....

Mr. Bharat Gadhavi a/w Mr. Vikrant Khare a/w Mr. Chinmay Deshpande a/w Ms Seema Patil a/w Ms Manasi Pande a/w Mr. Pratik Sabrad i/b Tejesh Pande and Associates for the Applicant.

Mr. S.S. Hulke, APP for the State.

Ms Anita Kuttikrishnan for Respondent No. 2.

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CORAM : N.R. BORKAR, J.

DATED : 12 JANUARY 2023

P.C. :-

This is an application under Section 439 of the Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 250 of 2021 registered at Hadapsar Police Station, Pune City for the offences punishable under Section 354 of the Indian Penal Code and Sections 8, 12 of the Prevention of Children from Sexual Offences Act.

3. The allegations against the present applicant are of sexual assault.

4. I have heard the learned counsel for the applicant, learned APP for the respondent-State and the learned counsel for the respondent No. 2.

5. The learned counsel for the applicant submits that the applicant is 58 years old. It is submitted that because of the present crime he lost his job. It is submitted that the applicant is in jail for about two years and maximum punishment for the offences alleged against the applicant is five years.

6. On the other hand, the learned APP submits that considering the nature of offence, the applicant may not be released on bail.

7. Considering the fact that the applicant is in jail for about two years, I am inclined to release him on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant- Bhalchandra S. Deshpande shall be released on bail in Crime No. 250 of 2021 registered at Hadapsar Police Station, Pune City for the offences punishable under Section 354 of the Indian Penal Code and Sections 8, 12 of the Prevention of Children from Sexual Offences Act on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)

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signed by
MANGALTAI
JAYWANT
JADHAV
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