

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

CRIMINAL BAIL APPLICATION NO. 1464 OF 2024

Amar Dhanlal Kanade ...Applicant

Vs.

The State of Maharashtra ...Respondent

Ms. Shubhangi Parulekar, Advocate for Applicant.

Mr. Ashok P, Advocate for Respondent No. 2.

Mrs. S. M. Yadav , APP for State-Respondent.

Mr. Hasan Mulani, PSI, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 10th OCTOBER, 2024

PC:-

1) Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.979 of 2023, registered with Hadapsar Police Station, Pune for the offences punishable under Sections 376 and 376(2)(n) of the Indian Penal Code and Section 6, 8 and 12 of the Protection of Children for Sexual Offences Act, 2012.

3. The prosecution case is that the applicant made false promise of marriage and established physical relations with the victim when she was minor. Whereas, the learned Counsel for the applicant submits that the said incident is of 2013 and the complainant made the complaint in the year 2023 i.e. after ten years.

4. In the above-referred backdrop as the charge-sheet has been filed after the investigation is completed, I am of the opinion that further custody of the applicant is not required.

5. However, considering the apprehension expressed by the learned APP and the learned Counsel for the victim-Respondent No. 2 that if the applicant is released on bail, he may pressurize the victim, I am of the opinion that the said apprehension can be addressed by imposing certain stringent conditions. Accordingly, I pass the following order.

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.979 of 2023, registered with Hadapsar Police Station, Pune for the offences punishable under Sections 376 and 376(2)(n) of the Indian Penal Code and Section 6, 8 and 12 of the Protection of Children for Sexual Offences Act, 2012, on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into the territorial jurisdiction of Pune City, till the conclusion of the trial;

iv) The applicant shall provide his address and name of the nearby police station to the IO, which he shall attend the said Police Station on 1st and 16th day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date of trial;

v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

vi) Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition or if the applicant commit similar offence;

vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

6. The application is disposed of .

[ANIL S. KILOR, J.]