



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

32 BAIL APPLICATION NO. 834 OF 2025

Sambhaji Balaji Tidke

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Shridhar K. Kulkarni (Through Legal Aid)
APP for Respondents-State: Mr. V. M. Jaware

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CORAM : ARUN R. PEDNEKER, J.

Dated : July 28, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with FIR No.386/2024, dated 13/11/2024, registered with Loha Police Station, Taluka Loha, District Nanded, for the offences punishable under sections 64(1), 65(1), 107, 212 of Bharatiya Nyaya Sanhita, 2023, under Section 4, 6, 8, 12, 17, 21 of Protection of Children from Sexual offences Act, 2012 and under Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006.
3. The case against the present applicant is that he is married to a minor girl aged 13½ years and had physical relations with her. When she went to the matrimonial house, she committed suicide. During

investigation, it was found that the applicant had married with a minor girl, and an FIR was registered against the applicant, as well as the family members of both the applicant and the victim.

4. In the course of investigation, it was also noticed that the applicant's family members and the victim's family members tried to settle the dispute in the presence of village members, and the applicant's family agreed to pay Rs.11 lakh to the victim's family members. It is apparent that both sides were involved in solemnizing the child marriage. In the present case, the family members of both the victim and the applicant appear to be responsible for the performance of the minor girl's marriage.

5. The learned Counsel for the applicant relied upon a medical certificate to indicate that there was no sexual assault on the victim. However, there is no allegation of forcible sexual assault, as the victim was married to the applicant. The post-mortem report does not go into the details regarding sexual intercourse.

6. Considering that the victim was a minor under the age of 16 years and was only 13½ years old at the time of marriage, and further taking into account the active involvement of both families in

the said marriage, along with the fact that the victim later committed suicide, *prima facie* there appears to be an element of harassment, as reflected in the *Kararnama*.

7. In these circumstances, no case is made out for grant of bail to the applicant. The application is, therefore, dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.