



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

BAIL APPLICATION NO. 2000 OF 2025

DINKAR SAMPAT KADAM
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Nilesh S. Ghanekar

APP for Respondent No.1: Mr. S. N. Morampalle

Advocate for Respondent No.2: Ms. Aishwarya C. Deshpande

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 01-12-2025

PER COURT:-

1. The applicant seeks bail in Crime No.34 of 2025 registered with Phulambri Police Station, District Aurangabad, for the offences punishable under Sections 137(3), 74, 75, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
2. The case of the prosecution is that prior to six months, when the informant was in the market, the applicant inquired about her daughter. On 09.06.2024 at about 5.00 p.m. applicant asked the informant along with her children to accompany him on his motorcycle. The applicant forcefully performed marriage of victim with his son and also threatened the informant not to disclose the said fact to anybody. It is alleged that prior to one month the victim and mother of informant came to house and stayed there. That on 25.12.2024 when the victim was alone at her house at

that time applicant came from behind and outraged her modesty. The victim got scared and ran away from there. The said fact came to the knowledge of informant and lodged report. Accordingly, the applicant was arrested on 21.01.2025 and since then has been in jail. Upon completion of the investigation, the chargesheet is filed.

3. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2/victim.

4. Learned counsel for the applicant submits that applicant is innocent. He did not compel to perform marriage of his son with the victim, however, to grab money from the applicant, a false complaint is lodged against him. As the investigation is completed and chargesheet is filed, the custodial interrogation of applicant is no longer required. The applicant is ready to cooperate with the investigation authorities. Hence, the applicant may be released on bail.

5. Learned A.P.P. has strongly objected the application on the ground that the victim is a child. A serious offence is committed against minor victim. Hence, the applicant may not be granted bail.

6. The learned counsel for respondent No.2/victim has filed affidavit-in-reply of respondent No.2, wherein she submits that out of heat and anger, the first information report was lodged. Now

with the help of relatives and senior members of the community, they have decided to settle the dispute.

7. Considering the aforestated peculiar facts and circumstances of the case as well as the the material placed on record and the affidavit presented on behalf of the victim as well as the parties are resolute to resolve the dispute and give quietus to the issue. In that view of the matter, further custodial interrogation of the applicant would be unjustified.

8. Hence, the following order

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant – Dinkar Sampat Kadam be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses till the conclusion of the trial.
 - (b) The applicant shall not in any way lure, coerce or threaten the victim.
 - (c) The applicant shall remain present on each date during trial unless exempted by the trial Court.

[SACHIN S. DESHMUKH, J.]