

Harish

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

CRIMINAL BAIL APPLICATION NO.15 OF 2025

Vijay Ramesh Jadhav	Applicants
Vs.	
The State Of Maharashtra and Anr.	Respondents

HARISH
VITHAL
CHAUDHARI

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.15
18:31:56
+0530

Mr. Priyal Sarda, for the Applicant.
Mr. Darshan Singh Rajpurohit for Respondent No. 2
Smt. M. M. Deshmukh, PP a/w Ms. Dr. A. A. Takalkar, APP for
the Respondent-State.
PSI S. N. More, Pandharpur Gramin, Dist- Solapur.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th SEPTEMBER 2025

PC.:

1. By this application, the applicant is seeking regular bail in C.R.No. 336 of 2024 registered with Pandharpur Gramin Police Station, Dist- Solapur Gramin for the offences punishable under Section 64(2)(I), 64(2)(m) and 69 of the Bharatiya Nyaya Sanhita 2023, Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(w)(i)(ii) and 3(2)(v) of Scheduled Cast and Scheduled Tribes (prevention of Atrocities Act, 1989.
2. It is the prosecution's case that during the period from

April 2024 to 9th September, 2024, the applicant sexually assaulted the victim on the promise of marriage against her will. Due to said sexual assault, the victim got pregnant of five months.

3. It is the contention of learned counsel for the applicants that at the time of incident, the applicant was 21 years old. There was love affair between the applicant and victim. At the time of incident the victim was more than 15 years old and they were meeting every alternate day. The applicant is behind bar around 1 year. Applicant is the karta of his family. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is the contention of the learned APP along with respondent no. 2 that the applicant was aware about the age of the victim. In spite of that he sexually assaulted her. Due to said sexual assault, the victim got pregnant. Section 64(2) of BNS Act is applied against the applicant for which punishment is of life imprisonment. If the applicant is released on bail he may abscond or threaten the victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsel. Perused the FIR and documents produced on record.

6. It appears from record that there is delay in lodging the FIR. The complaint was lodged after revealed the pregnancy of the victim. Before that no complaint was filed against the applicant. Applicant is 21 years old, whereas the victim is more than 15 years old. Considering the delay in lodging the FIR, the applicant is a karta of his family and the applicant is behind bar around 1 year, further detention of the applicant is not required.

7. In view of the above, I pass the following order :

ORDER

(i) The application is allowed.

(ii) The applicant be enlarged on bail in C.R.No. 336 of 2024 registered with Pandharpur Gramin Police Station, Dist: Solapur Gramin, on executing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the trial court proceeding regularly.

(iv) The applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details,

if any, from time to time to the Investigating Officer.

(v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. The application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]