

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2988 OF 2025

HARISH
VITHAL
CHAUDHARI

Vishal Digambar Patole

...Applicant

Versus

State Of Maharashtra And Anr

...Respondents

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.11.20
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Mr. Ritesh Thobde a/w Mr. Changdev Shingade, Mr. Darshan Singh Rajpurohit, Mr. Mervin Bardeskar & Mr. Purshkaraj Yadav-Deshmukh for the Applicant

Mr. S. S. Chaudhari APP for the State.

Mr. Rakesh Shinde for Respondent no.2 appointed through Legal Aid.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th NOVEMBER, 2025.

PC.

1. By this application, applicant is seeking regular bail in C.R. No. 652 of 2023 registered with Pandharpur City Police Station, District-Solapur for offences punishable under Sections 376, and 376(2)(n) of the Indian Penal Code 1860 and under Sections 4, 5(j)(ii), 5(l), 6, 8, 10 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that during the period from April, 2023 to October, 2023 the applicant sexually assaulted the daughter of the first informant on various occasions. Due to said sexual assault, the

victim got pregnant.

3. It is contention of learned counsel for the applicant that there is delay in lodging the FIR. At the time of incident, the victim was 17 years old whereas, the applicant was 19 years old. There was love affair between them. The applicant is behind bar more than two years. There is no progress in trial and requested to allow the application.

4. It is contention of learned APP alongwith respondent no. 2 that the applicant is a dance teacher. The application called the victim for celebrating to his birthday. On that account, he sexually assaulted the victim. Due to said sexual assault, the victim got pregnant. If the applicant released on bail, he may threaten the victim and prosecution witnesses.

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

6. At the time of incident, the victim was 17 years old. There is delay in lodging the FIR. The applicant is behind bar more than two years. There is no progress in trial. At the time of incident, the applicant was 19 years old. The applicant has no antecedents. Considering these facts, further detention of the applicant is not required and I pass following order :

ORDER

- I. Application is allowed.
- II. The applicant be enlarged on bail in C.R. No. 652 of 2023 registered with Pandharpur City Police Station, District-Solapur on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
- III. The applicant shall attend the Court dates regularly.
- IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. 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.
9. All concerned to act on the authenticated copy of this order.
10. As learned counsel Mr. Rakesh Shinde is appointed through Legal Aid Committee to represent the respondent no. 2, professional fees Rs. 10,000/- be paid to him.

(SHIVKUMAR DIGE, J.)