

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2299 OF 2025

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1. Vimal Digambar Khandare

2. Digambar Aba Khandare

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. Ranjeet Patil, Advocate for the Applicants.

Ms. P.S. Rane, APP for the Respondent-State.

Mr. Nitin N. Nikam, Advocate for Respondent No. 2 through Legal –
aid.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st DECEMBER, 2025

P.C.

1. Applicants are apprehending arrest in Crime No.434 of 2025 registered with Tembhurni Police Station, Dist. Solapur Rural for the offences punishable under Sections 64(2)(m) of the Bhartiya Nyaya Sanhita 2023, Sections 4(2) and 6 of Protection of Children From Sexual Offences Act, 2012 and Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006.

2. It is prosecution's case that the applicants are the parents of co-accused with whom the victim's marriage got performed.

3. It is contention of learned counsel for applicants that the applicants are the parents of the groom. At the time of marriage, they were not aware about the actual age of the victim. While on interim relief, the applicants have co-operated in the investigation. Investigation is almost completed. Considering the allegations against the applicants, their custodial interrogation is not required and requested to allow the application.

4. It is contention of learned APP along with respondent no. 2 that the applicants were aware about the age of the victim. Inspite of that they performed the marriage of their son with the victim. It shows their involvement in crime. Hence, their custodial interrogation is required and requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents placed on record.

6. The parents of the victim have been released on anticipatory bail by the learned Sessions Court. Whether the applicants were aware about the age of the victim or not is a part of trial. While on interim relief, the applicants have co-operated in the investigation. Investigation is almost completed. Considering these facts, custodial interrogation of the applicants is not required and I pass the following order :

ORDER

- I. Application is allowed;
 - II. In the event of arrest, the applicants be enlarged on bail in Crime No.434 of 2025 registered with Tembhurni Police Station, Dist. Solapur Rural, on executing P.R.Bond in the sum of Rs.20,000/- each with one or two sureties in the like amount.
 - III. The applicants shall attend the concerned police station as and when required.
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 anticipatory 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. As Mr. Nitin N. Nikam is appointed through Legal Aid Committee to represent respondent no. 2, professional fees of Rs.10,000/- be paid to him.
10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)