

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4618 OF 2024
IN
CRIMINAL APPEAL NO.10 OF 2021

Pratik Vilas Gangan ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

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Mr. A. S. Khandeparkar, Senior Advocate a/w Rohit P. Mahadik i/b Khandeparkar & Associates, for the Applicant.

Mr. B. B. Kulkarni, APP, for the Respondent-State.

Ms. Vinsha Acharya a/w Pranil Lahigade i/b Namrata Agashe, for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.

DATED: 17 JULY 2025

PC:-

1. Heard Mr. Khandeparkar, learned Senior Counsel appearing for the Applicant, Mr. Kulkarni, learned APP for the Respondent No.1-State and Ms. Acharya, learned Counsel appearing for Respondent No.2.

2. The Applicant is seeking relief of temporary bail on the ground that the Applicant's mother is required to undergo the MVR Surgery i.e. Mitral Valve Replacement Surgery. Mr. Khandeparkar, learned Senior Counsel states that the same is a surgical procedure to replace a damaged mitral valve in the heart.

3. The Applicant has filed an Affidavit dated 1st July 2025 stating that he be released on temporary bail for a period of 30 days and further undertaking that he will not seek any further extension beyond 30 days.

4. Ms. Acharya, learned Counsel appearing for Respondent No.2 and Mr. Kulkarni, learned APP for the Respondent No.1-State strongly opposes the relief sought. Both the learned Counsel state that the Applicant has been convicted for the offences punishable under Section 376 of the *Indian Penal Code, 1860* and under Sections 3, 4, 5(f), 5(j) and 6 of the *Protection of Children from Sexual Offences Act, 2012*. The victim is also staying at Ratnagiri. A learned Single Judge has by Order dated 6th April 2021 has allowed withdrawal of Interim Application No.39 of 2021 seeking bail filed in this Criminal Appeal. Both Ms. Acharya, learned Counsel appearing for Respondent No. 2 and Mr. Kulkarni, learned APP submits that Application be rejected.

5. However, as the Applicant's mother is seriously ill as can be seen from Certificate dated 21st June 2025 of Dr. Matin A. Parkar, Parkar Hospital, Ratnagiri, and requires urgent surgery, case is made out for grant of temporary bail. However in the facts and circumstances stringent conditions are required to be imposed.

6. Thus, in the facts and circumstances, the Applicant is granted temporary bail for a period of 30 days. However, it is made clear that as a learned Single Judge was not inclined to grant bail and therefore earlier Bail Application filed in Criminal Appeal No.10 of 2021 was allowed to be withdrawn and therefore unless the Applicant surrenders to the Jail Authorities, after completion of 30 days of temporary bail no application will be considered.

7. Accordingly, the Applicant can be enlarged on bail by imposing certain conditions. In view thereof, the following Order:

ORDER

- (a) The Applicant - Pratik Vilas Gangan is released on temporary bail on executing PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount;
- (b) The Applicant is permitted to furnish cash bail surety for a period of 10 days, in lieu of surety;
- (c) The Applicant shall report to Ratnagiri City Police Station, District-Ratnagiri once in a week i.e. on every Sunday between 11.00 am and 01:00 pm till the Applicant surrenders to the Jail Authorities on 17th August 2025.
- (d) On being released on bail, the Applicant shall furnish

his cell phone number and residential address to the Police Inspector of Ratnagiri City Police Station, District-Ratnagiri and shall keep the same updated, in case of any change thereto;

(e) The Applicant shall not contact the victim or her family members or any other witnesses in any manner;

(f) The Applicant to surrender to the Jail Authorities on or before 17th August 2025.

8. It is made clear that the temporary bail is granted to the Applicant on a specific condition that the Applicant shall report back to the Jail Authorities within a period of 30 days from the date of release of the Applicant and that the Applicant shall not seek any further extension beyond the said period of 30 days.

9. Criminal Appeal No.10 of 2021 as also Interim Application No.217 of 2024 shall stand adjourned to 8th September 2025.

10. Accordingly, the Interim Application is disposed of in above terms.

[MADHAV J. JAMDAR, J.]