

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3385 OF 2024

Sandip Ashok Dhumal Applicant

V/s.

State of Maharashtra & Anr. Respondents

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Mr.Vishal V. Rankhambe a/w Ms.Aparna Rankhambe,
Mr.Chaitanya M. Bagul, for the Applicant.
Ms.Sangeeta D. Shine, APP, for Respondent-State.
Mr.Zia Rahman, for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th FEBRUARY 2025

P.C:-

. By this Application, Applicant is seeking regular bail in Crime No.45 of 2021 registered with Velhe Police Station, Pune, for the offence punishable under Sections 376(2), 376(2)(j), 354-A, 452 and 506 of the Indian Penal Code, 1908 and under Sections 4,8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' Act).

2. It is prosecution case that, the Applicant sexually assaulted the victim on various occasions. At the time of incident she was 17 years old. It is alleged that, the Applicant threatened the victim that, he has video of her while changing clothes and he will viral it, on that ground by giving threats, he sexually assaulted the victim.

3. It is contention of learned counsel for the Applicant that, Applicant is behind bar more than 3 years and 7 months. The charge is framed against the Applicant, but the trial has not commenced. It may take time to conclude the trial. There is delay of 1 year and 6 months for filing the complaint. At the time of incident, victim was more than 17 years old. The learned counsel further submitted that, the incident happened at native place of the victim, but the offence is registered at Pune. Hence, requested to allow the Application.

4. It is contention of the learned APP along with learned counsel for Respondent No.2 that, the Applicant sexually assaulted the victim, who was 17 years old, by threatening her that he will viral the video of victim. The learned APP further

submitted that, due to fear and threat given by the Applicant, initially complaint was not lodged, but due to continuous threat of sexual demand by the Applicant, the victim went to Pune, there she meet with one social worker and narrated the incident to her and complaint was lodged against the Applicant.

5. The learned APP further submitted that, the Applicant is influential person. He and his family members continuously threatening the victim and her family members. If Applicant released on bail he may threaten the prosecution witness and he may abscond. Hence, requested to reject the Application.

6. I have heard all learned counsel's. Perused charge-sheet.

7. It appears from the record that, there is delay in lodging the complaint, the victim has stated about the reason for delay. The Applicant is behind bar more than 3 years and 7 month. Yet trial has not been commenced. It may take time to conclude the trial. Considering these facts, I am inclined to allow the Application and I pass following order.

ORDER

- (i) The Applicant-Sandip Ashok Dhumal be released on bail in Crime No.45 of 2021 registered with Velhe Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not enter in Pune City except where the Applicant stays, except attending the Court dates.
- (iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) The Applicant shall attend the Court dates regularly.
- (v) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (vi) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)