

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3680 OF 2024**

Suraj Anil Kale

...Applicant

Versus

The State of Maharashtra And Anr.

...Respondents

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Mr. Chinmay Patil a/w Mr. Amit Pardeshi, Advocate for the Applicant.

Mrs. Gauri K. Jadhav, Advocate for the Respondent No.2.

Mrs. G. P. Mulekar, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.

DATE : 23rd JANUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 271 of 2022 registered at Chikhali Police Station, District: Pune for the offences punishable under Sections 376(2)(n) and 328 of the Indian Penal Code, 1860 and Sections 3, 4(a), 5(j)(ii), 6, 7 & 8 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').
3. The allegations against the applicant are that in December-2021 and thereafter also he had forcibly committed sexual intercourse with the victim on the pretext that he would marry her and later on refused to marry her.

4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent-State, learned counsel for the Respondent No.2/Victim and perused the charge-sheet.

5. It appears that there was a love affair between the present applicant and the victim. The applicant is in jail for more than two years. The learned counsel for the applicant on instructions submits that the applicant is still willing to marry the victim.

6. Considering the over all facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 271 of 2022 registered at Chikhali Police Station, District: Pune for the offences punishable under Sections 376(2)(n) and 328 of the Indian Penal Code, 1860 and Sections 3, 4(a), 5(j)(ii), 6, 7 & 8 of the POCSO Act on executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount;
- (iii) The applicant shall not contact the victim.
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)