

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4786 OF 2024

Swapnil P. Karwal ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents.

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Mr. Shantanu Patil for the Applicant.
Mr. C.D. Mali, APP for the Respondent/State.
PSI Jeevan J. Patil , Bhudargad Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 29.04.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.430 of 2023 registered at Budharagd Police Station, Kolhapur for the offences punishable under Sections 354(D)(1), 354(D)(2) of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act.
3. The allegations against the present applicant are *inter alia* of outraging the modesty of victim.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.
5. Learned counsel for the applicant submits that earlier also

similar report was lodged against the applicant. It is submitted that as the applicant got the bail in the said crime again false report came to be lodged against the applicant. It is submitted that the applicant is in jail for 1 year and 4 months and the trial has not commenced. It is thus submitted that the applicant may be released on bail.

6. Learned APP for the respondent/State submits that the applicant repeatedly indulging in the act of stalking and outraging the modesty of the victim. It is submitted that the applicant has breached the bail condition and therefore, the applicant may not be released on bail.

7. I have perused the statement of victim recorded under Section 164 of Cr.P.C.. According to the victim, on the date of incident the applicant approached her and uttered certain words like he can't live without her etc..The applicant is in jail for 1 year and 4 months and the trial is still at the stage of framing of charge. Considering the said facts, I am inclined to release him on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 430 of 2023 registered at Budharagd Police Station, Kolhapur for the offences punishable under Sections 354(D)(1), 354(D)(2) of the Indian Penal Code and Section 12 of the

Protection of Children from Sexual Offences Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not contact the victim.

D] The applicant shall not enter into the limits of Taluka Budhargad, Dist. Kolhapur except to attend the dates before the trial Court till conclusion of the trial.

[N.R.BORKAR, J.]