

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4896 OF 2024

Santosh Kedarnath Gupta

.. Applicant

Versus

State of Maharashtra and Anr.

.. Respondents

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- Ms. Savvy Kolhekar, Advocate i/by Mr. Aniket Vagal for Applicant.
- Ms. Shilpa M. Gajare – Dhumal, APP for Respondent – State of Maharashtra.
- PSI – V. T. Phadke, Navghar Police Station (9967436186).

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 05, 2025

P.C.:

1. Heard Ms. Kolhekar, learned Advocate for Applicant and Ms. Gajare – Dhumal, learned APP for Respondent – State of Maharashtra.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short '**Cr.P.C.**') seeking Bail in connection with First Information Report No.232 of 2024 (for short '**FIR**') registered with Navghar Police Station for offences punishable under Sections 363, 366, 354, 376, 376(2(n), 506 of Indian Penal Code, 1860 (for short '**IPC**') and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 (for short '**POCSO**').

3. Ms. Kolhekar would draw my attention to the FIR appended at page No.31 of the Application and would submit that since offences are punishable under POCSO Act, Applicant shall ensure that service of

Application shall be made on Respondent No.2.

4. Ms. Gajare-Dhumal, learned APP is directed by Court to ensure that Respondent No.2 is served with copy of Application through concerned Investigating Officer and consent of Respondent No.2 through her father is obtained and apprise to Court so that further steps can be taken to appoint Advocate to represent and espouse cause of Respondent No.2.

5. Let the exercise be carried out within a period of one week from today.

6. Stand over to **12th February, 2025**. To be placed under the caption '**For Directions**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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