

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 143 OF 2025

The State of Maharashtra. ... Applicant.
Vs.
Anil Mahadeo Shelke. ... Respondent.

Mrs. Veera Shinde, APP for Applicant/State.
None for Respondent.

**CORAM : ASHWIN D.BHOBE, J.
DATE : 11th JUNE, 2025.**

P.C. :

1. Heard Mrs. Veera Shinde, learned APP for the Applicant-State.
2. By the present Application, the Applicant has sought for the following relief:

“1. That the Hon'ble Court be pleased to cancel the Bail so granted to the above Respondent/Orig. Accused herein vide Order dated passed by the Learned Special Judge (Under POCSO Act) and Addl. Sessions Judge, Pune on 10.02.2025 in C.R. No. 681 of 2024 under sections 74, 75 (1) (i) of BNS and section 8, 12 of Protection of Children from Sexual Offences Act 2012 registered with Ranjangaon MIDC Police Station, District- Pune (Rural) against the

*Respondent/Orig. Accused and direct the Respondent/
Original Accused to surrender with police forthwith.”*

3. Mrs. Shinde, learned APP submits that the learned Judge has failed to consider the law on the subject of bail and has passed the order dated 10th February 2025 Crime No. 681 of 2024. She submits that the said order dated 10th February, 2025 suffers from various infirmities. Learned APP submits that the grounds of arrest were communicated to the Applicant on 21st December, 2024 at the time of arrest and she relies on page 47 of the paper book.

4. I have heard Mrs. Shinde, learned APP for the Applicant. Perused the record with her able assistance.

5. Perusal of the order dated 10th February, 2025 passed in Crime No. 681 of 2024. indicates that the learned Special Judge (Under POCSO Act) & Additional Sessions Judge, Pune has released the Applicant on bail for violation of Article 22(1) of the Constitution of India and non-compliance of the provisions Section 50 of the Code of Criminal Procedure, 1973.

6. In the case of Prabir Purkayastha vs State (Nct Of Delhi)¹, Hon'ble Supreme Court has dealt with the provisions pertaining to the "grounds of arrest" and "reasons of arrest".

7. The document relied by the learned APP at page 47 pertains to reasons for arrest and not grounds of arrest.

8. In view of the law laid by the Hon'ble Supreme Court in Prabir Purkayastha (supra), no fault can be found in the order dated 10th February, 2025 passed by the learned Special Judge (Under POCSO Act) & Additional Sessions Judge, Pune.

9. In view of the above, Criminal Application No. 143 of 2025 stands dismissed.

[ASHWIN D.BHOBE, J.]

¹ 2024(8) SCC 254