

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

BAIL APPLICATION NO. NO. 714 OF 2025

Dhaval Dilip Dhurve ...Applicant
Versus
1. The State of Maharashtra
2. XYZ ...Respondents

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Mr. Sachin Madhav Bhavar, Advocate for the Applicant.

Mr. Shriram S. Chaudhary, A.P.P. for the Respondent No.1 – State.

Mr. Ravindra S. Pachundkar, Advocate for the Respondent No.2/Victim.

Mr. Gajjewar (API), Wakad Police Station, Pimpri Chinchwad, Pune, present.

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CORAM : N. R. BORKAR, J.
DATE : 24th APRIL, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.924 of 2024 registered at Wakad Police Station, District : Pune, for the offences punishable under Sections 376(2)(n) of the Indian Penal Code (for short 'IPC') and Section 6 of the Protection of Children from Sexual Offences Act (in short 'POCSO Act').
3. The applicant is the cousin of the victim.
4. In May-2023, the victim went to stay at the

applicant's house at Pune for taking admission in Symbiosis College, Pune. Due to certain incomplete documents the victim could not take admission in the said college. Thereafter in the month of September-2023, the victim went back to her native place at Pavani but the applicant brought her back to Pune by citing some college admission process.

5. It is alleged that in October-2023, when the parents of the applicant had gone for a pilgrimage, the applicant forcibly committed sexual intercourse with the victim. When the victim told him that she will reveal the incident to the applicant's mother, the applicant banged his head against the wall and threatened the victim that he will kill himself if she dares to do so. It is alleged that thereafter, from the month of October-2023 to March-2024 the applicant forcibly committed sexual intercourse with the victim.

6. On 14.08.2024, the victim was taken to the hospital at her native place for a medical checkup, wherein it was revealed that the victim was 8 months pregnant.

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

8. The learned counsel for the Respondent No.2/Victim submits that the victim has no objection if the applicant is released on bail and has tendered the affidavit of the victim to that effect. The learned counsel for the Respondent No.2 submits that the mother of the victim is present in the Court.

9. I have perused the statement of the victim. *Prima facie*, the alleged act appears to be consensual. Considering the overall 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.924 of 2024 registered at Wakad Police Station, District : Pune, for the offences punishable under Sections 376(2)(n) of the Indian Penal Code (for short 'IPC') and Section 6 of the Protection of Children from Sexual Offences Act (in short 'POCSO Act'). on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) Application stands disposed of accordingly.

(N. R. BORKAR, J.)