

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

Criminal Bail Application No.1161 of 2025

Gaurav s/o Sopan Narkhede,
Age: 33 years; Occ: Business,
R/o: N-9, L123/4, CIDCO,
In front of Kalwati Lawns,
Aurangabad.

Taluka and District: Aurangabad

... Applicant

Versus

1. The State of Maharashtra
Through the Bosari Police Station,
Pune.

2. XYZ

... Respondents

Mr AM Mundargi, Senior Advocate i/by Sanket S Kulkarni, for
the applicant.

Mr S V Walve, APP, for respondent No.1/ State.

Ms Rebecca Gonsalvez for respondent No.2.

PSI Shrikant Gurav, Bosari Police Station, Pimpri Chinchwad.

Coram: R.N. Laddha, J.

Date: 12 December 2025.

P.C.:

Heard learned Senior Counsel appearing on behalf of the
applicant; learned Additional Public Prosecutor representing
the respondent/State and the learned Counsel for respondent
No.2.

2. By this application, the applicant seeks bail in connection

with CR No.666 of 2020, registered at Bhosari Police Station, Pimpri-Chinchwad, Pune, for offences punishable under Sections 306, 354A, 354B of the Indian Penal Code (IPC) and Sections 4 and 8 of the Protection of Children from Sexual Offences Act (POCSO).

3. According to the informant her daughter was a student of 10th Standard and, after completion of her Board examination in April 2018, had visited the applicant, who is the cousin brother of the informant's husband, at Aurangabad. She further stated that about 7–8 months prior to the incident, her daughter had informed her that the applicant used to send her late-night messages such as “Good Night,” upon which the informant had confronted the applicant, who downplayed the issue.

4. The informant narrated that on 6 September 2020, at about 11.30 p.m., while she and her other daughter were at home, she received a WhatsApp message from a friend of the deceased inquiring about the applicant and alleging that he was sending obscene messages to the deceased. Thereupon, the informant questioned her daughter, who handed over her mobile phone and directed her to check certain screenshots stored in a folder titled “S.S.” Immediately thereafter, the deceased left the room and jumped from the gallery of another

bedroom. The informant became unconscious and later learnt that her daughter had been taken to the hospital. The informant stated that in the hospital, the deceased briefly regained consciousness and, when asked about the reason for taking the extreme step, allegedly murmured the name of the applicant and did not make any further statement. On 7 September 2020, the informant found a handwritten note purportedly written by the deceased in her notebook. When confronted, the applicant denied any wrongdoing. The informant further stated that the family remained occupied with the medical treatment of the deceased, who ultimately expired on 17 October 2020. Owing to grief and the applicant being a close and influential relative, the family initially hesitated to lodge a complaint. However, upon due deliberation, the informant lodged the complaint and handed over the handwritten note of the deceased to the police.

5. It appears from the record that on 1 September 2021, this Court rejected the applicant's bail and the rejection was upheld by the Hon'ble Supreme Court on 17 December 2021, with liberty to seek bail after examination of important witnesses.

6. The material on record *prima facie* discloses that the victim, a minor girl, was subjected to persistent and prolonged sexual harassment at the hands of the applicant, who is her

uncle and a person she regarded with paternal trust and affection. Owing to the close familial relationship and emotional dependence, the victim endured the abuse in silence, without disclosing the same to her immediate family members. The alleged acts were not isolated or sporadic in nature but formed a continuing course of conduct, which inflicted profound psychological trauma upon the victim and, as alleged, culminated in her taking the extreme step of ending her life.

7. It also appears from the record that during the course of investigation, certain incriminating material came to be seized, including a handwritten note found in the victim's notebook and content from her Instagram account. These materials lend corroborative support to the prosecution's case and reflect the mental state of the deceased as well as the nature of the alleged abuse. Furthermore, it is borne out from the statements that the deceased had, at a point in time, confided in her mother regarding the applicant's misconduct and had also explained the reasons for her earlier silence.

8. In view of the totality of the material collected during the investigation, there exists, at this stage, sufficient *prima facie* material to warrant the prosecution of the applicant. As submitted by the learned APP, five material witnesses are yet to be examined, and the prosecution has assured that the trial will

be concluded within a period of four months from today.

9. Resultantly, the present bail application stands rejected.

[R.N. Laddha, J.]