

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1873 OF 2025

Deepak Bajirao Nikam .. Applicant
Versus
The State of Maharashtra .. Respondent

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- Mr. B. A. Lawate, Advocate for Applicant.
 - Mr. Balraj B. Kulkarni, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : MAY 06, 2025

P.C.:

1. Heard Mr. Lawate, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent.

2. Mr. Lawate would persuade the Court to consider the fact that Application is filed under Sections 64(1) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. *Prima facie*, it is seen that prosecutrix was 18 years and 2 months old at the time of commission of alleged offence and age of Applicant is 46 years.

4. In that view of matter after perusing the record, I direct Mr. Lawate to implead prosecutrix as party Respondent to present Application. Necessary amendment is permitted to be carried out forthwith in presence of the Court. Re-verification stands dispensed with.

5. In view of the above, issue notice to Respondent No.2. Humdast permitted.

6. Learned APP appears in this present matter and waives service on behalf of Respondent No.1.

7. Investigating Officer is directed by this Court to depute a responsible lady Police Officer to serve copy of this order and Bail Application on Respondent No.2 and / or legal guardian and obtain her consent as to whether she requires legal representation through legal aid. The consent of Respondent No.2 shall be apprised to the Court on the next adjourned date through the learned APP. Let the aforesaid exercise be carried out within a period of two weeks from today.

8. Liberty to Applicant to move to Vacation Court, for appointment of Advocate on behalf of Respondent No.2 if Respondent No.2 gives her consent.

9. Stand over to 14th July, 2025.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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