

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1031 OF 2025

Akshay Dilip Deshmukh	...Applicant
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Mr. Vaibhav Gaikwad a/w Mr. Deva L. Shinde i/b Raviraj Paramane, for the Applicant.
Mr. S.A. Karmakar, APP, for the Respondent-State.
Mr. Kishor Patil, Amicus curiae, for the Respondent No.2.
Mr. Narendra Patil, API, Chaturshringi Police Station, Pune City, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 07th OCTOBER 2025

PC:-

1. Heard Mr. Vaibhav Gaikwad, learned Counsel appearing for the Applicant, Mr. S.A. Karmakar, learned APP appearing for the Respondent-State and Mr. Kishor Patil, learned Counsel appointed as *Amicus curiae* to represent the interest of the Respondent No.2.

2. This application is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (“BNSS”) seeking pre-arrest bail in connection with CR No.84 of 2025 registered with Chaturshringi Police Station, Pune City on 09th February 2025 under Section 75

of the *Bharatiya Nyay Sanhita, 2023* (“**BNS**”) and under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (“**POCSO**”).

3. As per the prosecution case the victims i.e. First Informant stays in the same building where the Applicant resides. The Applicant made sexually Coloured remarks to the First Informant.

4. Perusal of the records shows that the offence is very serious. The maximum punishment for the said offence is three years.

5. Mr. Gaikwad, learned Counsel appearing for the Applicants submits that there are no antecedents. He further relies on affidavit-cum-undertaking dated 22nd September 2025 of the Applicant where Applicant stated that he will enter the jurisdiction limits of Chaturshringi Police Station, Pune City. Mr. Gaikwad, learned Counsel, on instructions, further states that the Applicant will not stay in Pune City. Both these statements made by Mr. Gaikwad, learned Counsel appearing for the Applicant on instructions of the Applicant are accepted as undertakings given to this Court.

6. Mr. Patil, learned Counsel appointed as *Amicus Curiae* who represent the interest of the Respondent No.2 and Mr. Karmakar, learned APP for the Respondent – State strongly opposes the Anticipatory Bail Application. Both of them submits that the offence is very serious and therefore, the Anticipatory Bail be not granted.

7. Although, there is substance in contention that the offence is very serious, however, the Applicant will not be staying in the concerned building and he will not enter the jurisdiction of the Chaturshringi Police Station, Pune City and also will not enter Pune City and will stay at Xrabia Eifel City, Phase-2, Floor No.1, Flat No.C-5-413, Chakan, Pimpri-Chinchwad, Pune-410501 and he will report to Chakan Police Station at Pimpri-Chinchwad regularly. Thus case is made out for grant of Anticipatory Bail by imposing strict conditions.

8. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant Mr. Akshay Dilip Deshmukh in connection with C.R. No.84 of 2025

registered with Chaturshringi Police Station, Pune city the Applicant be released on bail on his furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall not enter the jurisdiction of the Chaturshringi Police Station, Pune City except when called by the Investigating Officer and for attending the trial.
- (c) The Applicant shall attend the Chakan Police Station, Pimpri-Chinchwad on 1st and 3rd Sunday between 11:00 a.m. to 01:00 p.m. till completion of the trial. The Police Inspector of Chakan Police Station, Pimpri-Chinchwad shall communicate the details of the same to the Investigating Officer.
- (d) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (e) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person

acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(f) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

(g) The Applicant shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is disposed of accordingly.

10. This Court places on record the appreciation the assistance rendered by Mr. Kishor Patil, *Amicus Curiae* appointed to represent the interest of the Respondent No.2.

[MADHAV J. JAMDAR, J.]