

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1820 OF 2025

Chanchal W/o Ganesh Gajre	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Onkar Wable, for the Applicant.
Mr. Aditya R. Parmar, for the (victim)Respondent No.2 through Legal Aid.
Ms. S.M. Yadav, APP, for the Respondent-State.
Mr. Ganesh Saunke, PSI, attached to Vimantal Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 06th NOVEMBER 2025

PC:-

1. Heard Mr. Wable, learned Counsel appearing for the Applicant, Ms. Yadav, learned APP appearing for the Respondent-State and Mr. Aditya, learned Counsel appointed to represent the interest of the Respondent No.2.

2. The present application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”) seeking pre-arrest bail in connection with CR No. 203 of 2025 registered with Vimantal (Airport) Police Station, Pune on 28th April 2025 for the

offences punishable under Section 354 of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offence, Act, 2012 (“**POCSO Act**”) .

3. As per the prosecution case there is family dispute between the Applicant and the Complainant. They are relatives. It is the case of prosecution that the Applicant outraged the modesty of the daughter of the First Informant and deliberately asked the victim to change the clothes in front of CCTV camera.

4. It is submission of learned Counsel appearing for the Applicant that the chargesheet is filed. In the chargesheet the CCTV footage is not produced. It is his submission that the Applicant will not contact with the victim and the First Informant and the Applicant will abide by any conditions imposed by this Court.

5. On the other hand, Ms. Yadav, learned APP and Mr. Parmar, learned Counsel appearing for the Respondent No.2 strongly oppose the Anticipatory Bail Application. Both of them submitted that the offence is under the POCSO Act. Therefore, Anticipatory Bail Application be rejected.

6. Perusal of the record shows that the chargesheet is already filed. There is some inconsistency in the FIR and the statement recorded under Section 164 of the Code of Criminal Procedure, 1973 (“CrPC”) of the victim. The main allegation of the prosecution is that the Applicant had outraged the modesty of the victim and deliberately asked the victim to change the clothes in front of CCTV camera. However, the transcript of the CCTV is not part of the chargesheet. In the statement recorded under Section 164 of the CrPC of the victim, there is also no mention of the incident concerning CCTV. However, as the offence is very serious and under the provisions of the POCSO Act, although, the Applicant is entitled for the Anticipatory Bail, the stringent conditions are required to be imposed.

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

ORDER

- (a) In the event of arrest of the Applicant - Chanchal W/o Ganesh Gajre in connection with C.R. No. 203 of 2025 registered with the Vimantal (Airport) Police Station, Pune the Applicant is directed to be released on bail

on her furnishing P.R. Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the Satara Parisar Police Station, Chhatrapati Sambhajnagar (Aurangabad) once a week i.e. on each Sunday. The Police Inspector of Satara Parisar Police Station, Chhatrapati Sambhajnagar (Aurangabad) to communicate details thereof to the Investigating Officer.
- (c) The Applicant shall not enter the jurisdiction of the Vimantal Police Station, Pune except when called by Investigating Officer.
- (d) The Applicant shall furnish her 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.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

Note: This order is corrected as per order dated 21st November 2025.