

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3502 OF 2025**

Ajay @ Amol Ajinath Chavan	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Vikas Shivarkar, for the Applicant.
Ms. S. M. Yadav, APP, for the Respondent-State.
Ms. Kanchan Pawar, for the Respondent No.2.
PSI A. A. Gaikwad, attached to Daund Police Station, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 23rd DECEMBER 2025**

PC:-

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

2. By this application filed under Section 482 of the Bharatiya Nagarik Surakhsha Sanhita, 2023 (“BNSS”) the Applicant is seeking pre-arrest bail in connection with C.R. No.759 of 2024 registered on 24th October 2024 with Daund Police Station, District Pune Rural for the offences punishable under Sections 376, 376(2)

(F), 376AB and 506 of the Bharatiya Nyaya Sanhita, 2023 (“BNS”) and under Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (“POCSO”).

3. The prosecution case is set out in paragraph No.2 & 3 of the order dated 26th November 2025 passed by learned Special Judge, Baramati, District Pune in Criminal Bail Application No.762 of 2025, which reads as under :-

“2] Brief facts of the prosecution case are: -

The informant 'A' (name is not disclosed to withheld identity) is victim. She has filed report against the accused on 24/10/2024 alleging that on 06/03/2024 there was religious program in their house as there was fair at village Gopalwadi. For that religious program, the accused and his wife Mona came to the house of informant. At that time, the accused took victim with him to bring water by his motorcycle. The accused also told to the victim that, he will purchase biscuit for her and they will return back to home. Therefore, the victim agreed to give company to the accused. Accordingly, she went with the accused by his motorcycle. While proceeding to village Lingali, the accused stopped his motorcycle, took the victim in field of maize, removed her cloths and committed rape on her. At that time, the victim was having lots of pains and agony and felt dizziness. The accused showered water on her face. Therefore, she gets consciousness. At that time, the accused threatened her that, if she talks about rape to anyone, he will kill her. Thereafter, they returned

back to home. The informant/victim was scared due to threats given by the accused. So, she has not disclosed this incident to anyone. But she repeatedly recollects that incident and was under tension. So, on 23/10/2024 she narrated this incident to her mother. Thereafter, on 24/10/2024 her mother took her police station. There she filed report against the accused.

3] On the basis of her report, Crime vide C.R. No.759/2024 for the offences punishable U/Secs.376, 376(2)(f), 376(a)(b) and 506 of IPC and U/Sec.4, 6, 8 and 12 of POCSO Act, came to be registered. The accused/applicant absconded. So, Investigating officer has investigated the offence in absence of the accused/applicant and submitted charge-sheet U/Sec.299 of the Code of Criminal Procedure.

4. It is the submission of Mr. Shivarkar, learned Counsel appearing for the Applicant that the chargesheet has already been filed, although, under Section 299 of the Code of Criminal Procedure, 1973. The victim is near relative of the Applicant and as there is family dispute false FIR is filed. He submits that there is huge delay of about 7 months in filing the FIR. There are no other antecedents. Learned Counsel further submits that the Applicant will completely cooperate with the investigation.

5. Ms. Yadav, learned APP and Ms. Pawar, learned Counsel appointed to represent the interest of the Respondent No.2,

strongly oppose the Anticipatory Bail Application. Both of them submits that the Applicant is involved in a serious crime. The Applicant was absconding and therefore proclamation has been issued against him on 5th April 2025. Both of them further submits that therefore, the Anticipatory Bail Application be rejected.

6. Perusal of the record shows that the Applicant and victim are near relatives. There is dispute between the two families. The chargesheet has already been filed. Thus, the investigation is completed. There are no antecedents. Mr. Shivarkar, learned Counsel, submits that the Applicant will co-operate with the investigation.

7. Accordingly, by imposing conditions the Anticipatory Bail Application can be granted.

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

ORDER

(a) In the event of arrest of the Applicant -Ajay @ Amol Ajinath Chavan in connection with C.R. No.759 of 2024 registered with Daund Police Station, District

Pune Rural, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the concerned Police as and when called.
- (c) 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.
- (d) 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.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]