

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1973 OF 2025
IN
REGULAR BAIL APPLICATION NO.2052 OF 2025

Sujal Sudam Kale

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Rohan N. Hogle, for the Applicant.

Mr. Sameer M. Mangaonkar, APP for Respondent-State.

Mr. Udhav Solunke, PSI, Panvel City Police Station is present in Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 27th MAY, 2025

P.C. :-

1. Applicant is an accused in Crime No.32 of 2025 dated 21.01.2025 registered with Panvel City Police Station for the offences punishable under Sections 64(1), 64(2)(m) and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and under Sections 4 and 8 of the Protection of Children from

Sexual Offences Act, 2012 (for short “POCSO Act”).

2. By the present Application, Applicant has sought for the following reliefs:

“(a) That the present applicant be released on temporary bail for a period of one month in connection with Crime No.32/2025 dated 21/01/2025 registered with Panvel city police station for the offences punishable under sections 64(1), 64(2)(m) & 351(2) of B.N.S. And u/s. 4 & 8 of POCSO Act from the date of this honourable court’s order to prepare and attend/appear for his examination scheduled from 27/05/2025;

(b) That the applicant be released on cash bail;”

3. Mr. Rohan N. Hogle, learned Advocate for the Applicant states that though the practical viva was scheduled on 27.05.2025 at 11.00 a.m., the Applicant has missed the said date. He submits that he has specific instructions from the maternal uncle of the Applicant to state that in the event this Application is allowed, then the College has assured the uncle of the Applicant that as a special case, practical viva of the Applicant would be conducted.

4. Records of this case indicate that the Applicant was released on interim bail for the period from 15.05.2025 to 23.05.2025. Order dated 08.05.2025 passed in the Criminal Interim Application No.1760 of 2025 is reproduced hereunder:

“1. This is an application for temporary bail.

2. The applicant came to be arrested in Crime No. 32 of 2025 registered at Panvel City Police Station, Navi Mumbai for the offences punishable under Sections 64(1), 64(2)(m), 70(2) & 351(2) of the Bhartiya Nyaya Sanhita, 2023 and under Sections 4 and 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The learned counsel for the applicant submits that the applicant is a student of third year BCA and his final exams are from 15.05.2025 to 22.05.2025. It is submitted that to enable the applicant to appear for the said exam, the applicant be released on temporary bail for the said period. The learned counsel for the applicant in support of the said ground has placed on record the relevant documents.

5. The learned APP for the Respondent/State submits that the applicant is involved in serious crime. It is submitted that considering the nature of crime the applicant may not be released on temporary bail.

6. The allegations against the applicant are that he promised the victim to marry and on that pretext committed sexual intercourse with her. There are no other criminal antecedents against the present applicant. Considering the facts and circumstances, I am inclined to release the applicant on temporary bail till 23.05.2025.

ORDER

A] The applicant shall be released on

temporary bail on deposit of cash security of Rs.25,000/- till 23.05.2025.

B] The applicant shall not contact the victim.

C] The applicant shall surrender on 24.05.2025, before the concerned jail authorities.

D] It is made clear that no extension will be granted.

5. The Interim Application disposed of.
6. List the regular bail application on 24.06.2025.”

5. Mr. Rohan N. Hogle, states that the case of the Applicant be considered on the same line, as the matter pertains to education of the Applicant. He states that the Applicant has abided by the condition imposed in the order dated 08.05.2025.

6. Learned APP appearing for Respondent No.1 does not dispute the statement made by the learned Advocate for the Applicant and states that there was no violation of any of the terms of the order dated 08.05.2025.

7. Learned APP on instruction from Respondent No.1 sates

that the Application filed by the Applicant can be considered on the same line as the matter pertains to education of the Applicant.

8. In view of the above and considering the order dated 08.05.2025, **this Application is allowed**, subject to the following terms:

(a) Applicant shall be released on interim bail w.e.f. 28.05.2025 till 11.06.2025, on deposit of cash surety of Rs. 25,000/-.

(b) Applicant shall not contact the victim or any other witnesses in the present crime.

(c) Applicant shall not tamper with the evidence.

(d) Applicant shall surrender on or before the concerned Jail Authorities on 12.06.2025.

(e) It is made clear that no extension will be granted and the Applicant shall surrender on 12.06.2025.

9. The **Interim Application No.1973 of 2025 is disposed off**

in the above said terms.

10. List the Regular Bail Application on the date fixed, i.e.,
on 24.06.2025.

[ASHWIN D. BHOBE, J.]