



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.148 OF 2025

(Sanjay s/o Murlidhar Paunikar Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.G. Hunge, Advocate for the applicant.
Mr. N.B. Jawade, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 27, 2025.

Heard.

2. By this application, the applicant is seeking bail as he came to be arrested on 16/10/2024 in connection with Crime No.729/2024 registered with police station Hudkeshwar, Nagpur for the offence punishable under Sections 74 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. Learned Counsel for the applicant submitted that the crime is registered on the basis of report lodged by the victim girl on an allegation that the applicant has outraged her modesty on 14/10/2024 and prior to that also as there was repeated act on the part of the present applicant she approached to the police station and lodged the report. He submitted that the alleged offences are punishable with imprisonment upto three years. Now, the investigation is practically completed, further

incarceration of the applicant is not required. In view of that, he be released on bail.

4. Learned APP strongly opposed the application on the ground that there is repeated act on the part of the present applicant, and therefore, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties. Perused the recitals of the FIR and the investigation papers from which it reveals that the allegation against the present applicant is to the extent of outraging the modesty. Now, the investigation is completed. Considering the offence punishable is upto three years, further incarceration is not required. However, considering the apprehension of tampering of the witnesses, some conditions requires to be imposed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Sanjay s/o Murlidhar Paunikar in connection with Crime No.729/2024 registered with police station Hudkeshwar, Nagpur for the offence punishable under Sections 74 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, be released on bail on

executing PR. bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not enter into the jurisdiction of police station Hudkeshwar, Nagpur till culmination of the trial.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case and shall not communicate with the victim in any manner either personally or by way of electronic media.

6. The contravention of any of the condition imposed by this Court, would lead to the cancellation of bail.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*