



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

CRIMINAL APPLICATION (ABA) NO.115 OF 2025

(Pankaj s/o Radheraman Agrawal 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. M.R. Perke, Advocate for the applicant.
Ms Swati Kolhe, APP for the State.
Mr. V.S. Gokhale, Advocate a/w Mr. PP. Sarise, Advocate for non-applicant No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 2, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.436/2024 registered with Police Station Sakkardara, Nagpur, District Nagpur for the offences punishable under Sections 354, 354-D, 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the victim girl who is aged about 16 years alleging that her mother is serving in the firm of the present applicant and love affair was developed between them, and therefore, the present applicant used to visit her house and subjected her for the sexual harassment on many occasions. She further alleged that since June, 2022 to August, 2023 he has subjected her continuously for the sexual harassment, therefore, she disclosed the said incident to her mother but her mother has not responded

the same and thereafter she disclosed this fact to one Advocate also to whom she was acquainted with and also to her teachers and thereafter she approached to the police station for lodging the report.

3. Learned Counsel for the applicant submitted that with the baseless allegations, the FIR is lodged. As far as the allegations as to the love affair between the applicant and her mother is concerned which is also baseless. He submitted that even the mother of the victim is also not supporting the said allegations which are levelled by the victim. There is absolutely no material to substantiate the said allegations. Considering that the custodial interrogation of the applicant is not required, he be protected by granting anticipatory bail.

4. Learned APP and learned Counsel for non-applicant No.2 strongly opposed the application and submitted that considering the allegations that small girl of 16 years was not getting response from her mother and other relatives, as to the allegations she has also communicated to the Prime Minister's office as to her harassment at the hands of the present applicant. Moreover, she has also disclosed the said incident to her teachers. The statement of the teachers are also recorded by the Investigating agency. Thus, considering the nature of the allegations, the application for grant of anticipatory bail deserves to be rejected.

5. I have heard learned Counsel for both the sides. Perused the investigation papers especially the statement of the victim, statement of the Advocate to whom she approached and the statement of the Teachers. *Prima facie* case is made out against the present applicant, and therefore, the application for grant of anticipatory bail deserves to be rejected.

6. Hence, the application is hereby rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*