



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 279 OF 2025

Chetan s/o Gajanan Shewale (In Jail) Vs State of Maharashtra and another.

WITH

CRIMINAL APPLICATION (BA) NO. 306 OF 2025

Sairam s/o Dipak Kanade and another Vs State of Maharashtra and another.

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

Court's or Judge's Order

Mr. K.S. Narwade, counsel for applicants

Mr. Anant Ghongre, APP for non-applicant/State.

Ms M.A. Barbde, APP for non-applicant/State.

Mr. R.R. Maddalwar, counsel (appointed) for non-applicant No.2 in BA No. 279/2025

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 04/04/2025.

1. The applicants in both applications have preferred applications for grant of bail in connection Crime No. 20 of 2025 registered with Police Station Khandala, Tq. Pusad, District Yavatmal for the offence punishable under Sections 74, 75(1)(i), 78(2) of the Bharatiya Nyay Sanhita, 2023; Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. The crime is registered on the basis of a report lodged by the victim, alleging that the co-accused, Sairam, along with the applicant in Criminal Application (BA) No. 306/2025 and two other accused, followed her and expressed his feelings towards her. Thereafter, the two other co-accused restrained her and outraged her

modesty by pressing her chest. On the basis of the said report, police have registered the crime against the present applicants.

3. Heard learned counsel for the applicants, who submitted that FIR was lodged against the present applicants based on baseless and false allegations, as far as the investigation part is concerned, which is already completed. Now, further incarceration of the present applicants is not required. In view of that, they be released on bail.

4. Learned APP and learned counsels for the complainant strongly opposed the said applications.

5. After hearing both sides and on perusal of the investigation papers, it reveals that the allegation is to the extent of outraging modesty. The investigation is already completed, and charge-sheet is already filed. The informant's only apprehension is that the applicants may pressurize her or tamper with the prosecution evidence, which can be taken care of by imposing certain conditions. In view of that, I proceed to pass the following order.

a] The criminal applications are allowed.

b] The applicants in *Criminal Application (BA) No. 279 of 2025 namely Chetan s/o Gajanan Shewale, and Criminal Application (BA) No. 306 of 2025 namely Sairam Dipak Kanade*

and Akash s/o Dilip Kanade shall be released on bail in connection Crime No. 20 of 2025 registered with Police Station Khandala, Tq. Pusad, District Yavatmal for the offence punishable under Sections 74, 75(1)(i), 78(2) of the Bharatiya Nyay Sanhita, 2023; Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on furnishing P.R. Bond of Rs. 25,000/- each with one solvent surety in the like amount.

- c] The applicants shall not enter into the vicinity of village Rohada Tah. Pusad District Yavatmal till culmination of the trial.
- d] The applicants shall furnish their address where they are intending to reside after they are released on bail.
- e] The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case including the victim either physically or through the electronic media.
- f] The applicants shall attend the proceedings before the Special Court without seeking any exemption unless there are exceptional circumstances.

g] The fees of the appointed counsel be quantified as per rule.

6. The criminal applications are **disposed of** accordingly.

[URMILA JOSHI-PHALKE, J.]