



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

CRIMINAL APPLICATION (BA) NO.335 OF 2025

(Chandrabhan s/o Motiram Bambole Vs. The State of Maharashtra thr. PSO Police
Station Armori, Dist. Gadchiroli and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. R. Vyas, Advocate for Applicant.
Mr. A. M. Ghogare, APP for Non-Applicant No.1/State.
Mr. Anirudh Ananthakrishnan, Advocate (Appointed) for Non-Applicant No.2.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 24th APRIL, 2025.

1. Heard.
2. The applicant came to be arrested on 28.10.2024 in connection with Crime No.347/2024 registered with Police Station Armori, District Gadchiroli for the offence punishable under Section 74 of the Bhartiya Nyay Sanhita, 2023 and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
3. Heard learned counsel for the applicant who submitted that the applicant is a Teacher and it is alleged that he has subjected the victim girl for the sexual harassment by calling her and physically touching her. He submitted that in fact the statements of the parents itself sufficiently shows the involvement of the present applicant. He further submitted that even the statements of her parents discloses that the applicant used to call the children near to

him only to give them some understanding or to answer their queries but due to this registration of the FIR the applicant has already lost his job and his entire career will be job less. Now investigation is already completed, charge-sheet is already filed. Further incarceration of the present applicant is not required. In view of that, he be released on bail.

4. Learned APP and learned counsel for the victim strongly opposed for the same on the ground that the statements of the various witnesses and children sufficiently shows the involvement of the present applicant. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers there is substance in the submission made by the learned counsel for the applicant that there are statements of the witnesses which shows that no such incident has taken place and there is some misunderstanding as far as the act of the present applicant is concerned. The statements of the children are already recorded which shows that the present applicant used to answer their queries and used to keep holding their hands. Whether there was sexual interest behind the said act is a matter of record. At this stage, considering that investigation is already completed, charge-sheet is already filed, further incarceration of the present applicant is not required. Moreover, the offence alleged is not punishable with imprisonment for more than 5 years. In view of that, the application deserves to be allowed. Accordingly, I proceed to

pass the following order:

ORDER

- [a] The criminal application is allowed.
- [b] The applicant – Chandrabhan Motiram Bambole, shall be released on bail in connection with Crime No.347/2024 registered with Police Station Armori, District Gadchiroli for the offence punishable under Section 74 of the Bhartiya Nyay Sanhita, 2023 and Section 12 of the Protection of Children from Sexual Offences Act, 2012 on executing P.R. bond of Rs.25,000/- with one solvent surety of the like amount.
- [c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- [d] The applicant shall not enter into the vicinity of Armori Burdi, Tahsil Armori, District Gadchiroli till culmination of the trial.
- [e] The applicant shall attend the proceeding before the Special Court without seeking any exemption unless there are exceptional circumstances.

6. The application is disposed of.
7. The fees of the appointed counsel be quantified as per rule.

(URMILA JOSHI-PHALKE, J.)