



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

CRIMINAL APPLICATION (BA) NO.541 OF 2025

Vaibhav Ashok Bonde

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Rajura, District Chandrapur 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. V. S. Sambre, Counsel for the applicant.

Ms. T. H. Udeshi, APP for non-applicant No.1/State.

Ms. Neerja G. Chaubey, appointed Counsel for the non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 17/06/2025

1. The applicant came to be arrested on 12.04.2025 in connection with Crime No.181/2025 registered with Police Station Rajura, District Chandrapur for the offences punishable under Sections 78, 78(2), 78(1)(ii), 351(2) of the Bharatiya Nyaya Sanhita, 2023, under Section 12 of the Protection of Children from Sexual Offences Act.

2. Heard learned Counsel for the applicant, who submitted that the crime is registered on the basis of report lodged by the mother of the victim girl on an allegation that in the month of February 2024 when the victim and her friends were sitting in the house of one of their friends, the accused/applicant forcefully thrown the chocolate near to the victim. Thereafter, the mother of the victim gave

understanding to the applicant, but the applicant has sent WhatsApp messages on the mobile phone of the informant. He also threatened the victim. On 11.04.2025 when the victim had been to attend the school for attending her examination, the accused followed her and sexually harassed her. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that there was a love affair between the victim and the present applicant. Out of a love affair, some WhatsApp messages are exchanged between them and subsequently, this false report is lodged. He submitted that custodial interrogation of the present applicant is not required as nothing is to be recovered from the present applicant. Now the investigation is practically completed. In view of that, the applicant be released on bail.

4. Learned APP and learned Counsel for the non-applicant No.2 - victim strongly opposed for the same on the ground that the minor victim girl is sexually harassed by the present applicant and also outraged her modesty. If he is released on bail, there is apprehension of repeating of similar activities and therefore, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that WhatsApp messages were exchanged between the present applicant and the victim from which it reveals that applicant and the victim were in a love affair and out of a love affair, they were communicating with each other. Subsequently, this report is lodged against the present applicant. As far as further incarceration is concerned, which is not required as the investigation is practically completed. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Vaibhav Ashok Bonde** shall be released on bail in connection with Crime No.181/2025 registered with Police Station Rajura, District Chandrapur for the offences punishable under Sections 78, 78(2), 78(1)(ii), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and under Section 12 of the Protection of Children from Sexual Offences Act, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- (iv) The applicant shall not enter into the vicinity of Goyegaon, Taluka Rajura, District Chandrapur, till the culmination of trial.

(v) The applicant shall attend the proceeding before the Special Court without seeking any exemption unless there are exceptional circumstances.

6. The fees of the appointed Counsel be quantified as per rules.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)