



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

CRIMINAL APPLICATION (ABA) NO. 359 OF 2025

(Bhavrav @ Bhaurao Tejrao Helode & Anr.

Vs.

State of Maharashtra, Thr. PSO Hiwarkhed, Dist. Buldhana & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. M.V. Rai, Advocate for the Applicants.
 Ms. Sneha Dhote, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 25th JUNE, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.51/2025 registered with Police Station Hiwarkhed, District Buldhana for the offences punishable under Section 376(2)(n) of the Indian Penal Code, under Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012 and under Sections 9 & 11 of the Prohibition of Child Marriage Act, 2006, the Applicants approached to this Court for grant of anticipatory bail.

2. The crime is registered on the basis of the report lodged on an allegation that when the Victim was below 18 years of age her marriage was performed with the co-accused and the Applicant No.1 is the father of the Victim and the Applicant No.2 is the father-in-law of the Victim. The Victim has begotten the child from her wedlock and now she is residing with her husband. Only allegation is that, when she

was minor her marriage was performed by the present Applicants, and therefore, they are arraigned as an accused.

3. Learned APP, strongly opposed the said Application and submitted that, considering that the Victim was pregnant and she was forced to carry the pregnancy when she was minor, the application deserves to be rejected.

4. On hearing both the sides and on perusal of the investigation papers it reveals that, the Applicant No.1 is the father of the Victim and the Applicant No.2 is the father-in-law of the Victim. They have performed the marriage of the Victim when she was below 18 years of age. Even accepting the allegations as it is, the custodial interrogation of the present Applicants is not required. In view of that, they can be protected by granting anticipatory bail. Accordingly, I proceed to pass following order:

ORDER

- i. The Application is **allowed**.
- ii. The *ad interim* protection granted to the Applicants by order dated 21.05.2025, is hereby confirmed on the condition that, they shall attend the concerned Police Station as and when they called for investigation purpose on issuance of notice of 7 days in advance.

iii. The Applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)