



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

CRIMINAL APPLICATION (BA) NO.600 OF 2025

Pratap s/o Pralhadrao Chavhan

Vs.

State of Maharashtra, through its Police Station Officer, Police Station,
Asegon Purna, District Amravati 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. P. V. Navlani, Counsel for the applicant.

Ms. S. S. Dhote, APP for non-applicant No.1/State.

Mr. Vishwajeet Singh Uberoi, Counsel for the non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/06/2025

1. Present application is preferred by the applicant for grant of bail in connection with Crime No.325/2024, registered with Police Station Asegaon Purna, District Amravati for the offence punishable under Sections 137(2), 3(5), 64(1), 64(2)(f) and 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 6 of the Protection of Children from Sexual Offences Act.

2. Initially, the crime was registered on the basis of the father of the victim, on an allegation that on 02.12.2024 his daughter got missing, though he searched for her, but could not found, and he has suspected that present applicant had kidnapped her. On the basis of the said report, police have registered the crime. During the investigation, the victim was

searched. Her statement was recorded. In her statement, she disclosed that she got paralysis attack and was admitted in the hospital. At that time, present applicant has helped her father and therefore, she got acquaintance with him. Thereafter, she started liking him and love affair was developed between them and out of that love affair, there was a physical relationship between them which resulted into her pregnancy. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned Counsel for the applicant, who submitted that considering the statement of the victim, who was on the verge of attaining the majority. Now the investigation is completed, charge-sheet is filed and further incarceration of the present applicant is not required and therefore, the applicant be released on bail.

4. Learned APP strongly opposed the said application on the ground that the consent of the victim is not relevant. The Victim is also represented by the learned Counsel Mr. Vishwajeet Singh Uberoi. He filed an affidavit stating that the victim has no objection to release the applicant on bail, as there is a relationship between the victim and the present applicant.

5. On hearing both sides and on perusal of the investigation papers, it reveals that out of a love affair, the physical relationship was developed between them. Now the investigation is already completed, charge-sheet is already filed and further incarceration of the present applicant is not required. 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 **Pratap s/o Pralhadrao Chavhan** shall be released on bail in connection with Crime No.325/2024, registered with Police Station Asegaon Purna, District Amravati for the offence punishable under Sections 137(2), 3(5), 64(1), 64(2)(f) and 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 6 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 village Fajalapur, Taluka Achalpur, District Amravati, till the culmination of trial.
- (v) The applicant shall attend the proceeding before the Special Court without

(4)

932.ba.600.2025

seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate