



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

CRIMINAL APPLICATION (BA) NO.603 OF 2025

(Mr. Rajendra Krushnarao Kapse Vs. State of Maharashtra and anr.)

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

Court's or Judge's Order

Mr. M.V. Acharya, Advocate for the applicant.
Mrs. M.A. Barabde, APP for the State.
Mr. Y.P. Bage, Advocate (appointed) for non-applicant No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 15, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 19/04/2025 in connection with Crime No.114/2025 registered at police station Sakkardara, Nagpur for the offence punishable under Section 74 of Bharatiya Nyaya Sanhita, 2023 and Sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. The crime is registered on the basis of report lodged by the mother of the victim girl on an allegation that the present applicant subjected her daughter for the sexual harassment on 16/04/2025 by touching to her body. 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 is a property dispute between the applicant and the parents of the victim girl and on that count the present applicant is implicated in the alleged offence. The story

narrated by the victim itself is improbable and unacceptable as the present applicant had been at the spot of incident to attend one funeral. Now, the investigation is already completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, he be released on bail.

4. Learned APP and learned Counsel for the victim strongly opposed the application on the ground that considering the act of the present applicant who is aged about 47 years whereas the victim is only 10 years old who subjected the victim girl for forceful sexual assault. Hence, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides. Perused the investigation papers from which it reveals that the allegation is of sexual harassment at the hands of the present applicant. At this stage, the investigation is already completed and charge-sheet is filed. The punishment provided for the alleged offence is not more than seven years. In view of that, the application deserves to be allowed by imposing certain conditions. Accordingly, I pass the following order :-

(i) The application is allowed.

(ii) The applicant - Mr. Rajendra Krushnarao Kapse in connection with Crime No.114/2025 registered at police station Sakkardara, Nagpur for the offence punishable under Section 74 of

Bharatiya Nyaya Sanhita, 2023 and Sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012 be released on bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not enter into the jurisdiction of Sakardara Police Station, Nagpur, till culmination of the trial.

(iv) The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

(v) The applicant 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.

6. The applicant stands disposed of.

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

(URMILA JOSHI-PHALKE, J.)