



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

**CRIMINAL APPLICATION (ABA) NO.423/2025**

Prakash Moreshwar Chilange

Vs.

State of Maharashtra, Through Police Station Officer, Police Station Gadchiroli,  
District Gadchiroli

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Shri Y.S. Nikam, Advocate for applicant  
Shri N.B. Jawade, APP for respondent/State

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 03.07.2025**

Apprehending the arrest at the hands of police in connection with Crime No.0371/2025 registered with Police Station Gadchiroli, for the offence punishable under Section 69 of the Bhartiya Nyay Sanhita (BNS) Act, 2023, the applicant approached to this Court for grant of pre arrest bail.

2. The crime is registered on the basis of report lodged by victim, aged about 27 years, on an allegation that the present applicant subjected her for the forceful sexual assault on the promise of marriage.

3. Heard learned Counsel for the applicant who submitted that it was consensual relationship and as the relationship was broken, therefore, this false report is lodged.

4. Learned APP strongly opposed the same and submitted that on the promise of marriage i.e. under misconception the consent of victim was obtained and she was subjected for the sexual assault. In view of

that the application deserves to be rejected.

5. Without prejudice to the earlier submission, she submitted that if the Court comes to the conclusion that interim protection deserves to be confirmed, he be restrained from contacting the victim by visiting her at Gadchiroli as she is doing job there.

6. On hearing both sides and on perusal of recitals of the FIR, it reveals that the victim and the present applicant got acquaintance with each other they are communicating with each other and love affair was developed between them. It was a consensual relationship and out of that consensual relationship, the physical relationship was developed between them.

7. In the light of the above facts and circumstances, the interim protection granted to the present applicant deserves to be confirmed by imposing certain conditions. Accordingly, I proceed to pass the following order.

### **ORDER**

(i) The Criminal Application (ABA) No.423/2025 is allowed and interim protection granted by order dated 17.06.2025 is confirmed on condition that he shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency.

(ii) The applicant shall not induce threat or promise any witnesses who are acquainted with the

facts of the present case.

(iii) The applicant shall not contact victim either physically or through electronic media either in a village Kunghada or Gadchiroli, till the culmination of trial. A single incident of tampering or contacting the victim would lead to cancellation of bail.

8. The application is disposed of.

**(URMILA JOSHI-PHALKE, J.)**

*R.S. Sahare*