



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

CRIMINAL APPLICATION (ABA) NO.541 OF 2025

Shivcharan s/o Gomaji Kathane
Vs.

State of Maharashtra, through Police Station Officer, Beltarodi, Nagpur

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

Court's or Judge's orders

Mr. Amol G. Hunge, Counsel for the applicant.
Mr. M. J. Khan, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/08/2025

1. By this application, the applicant is seeking pre-arrest bail in connection with Crime No.360/2025 registered with Police Station Beltarodi, District Nagpur for the offence punishable under Sections 75(1)(ii) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard learned Counsel for the applicant, who submitted that the crime is registered on the basis of the report lodged by the victim on an allegation that on 01.07.2025 at about 3.30 p.m., when she was alone in the house, somebody has knocked the door and the present applicant was outside the door, who came there to show the flat which was in front of her house and after showing the flat to the customer, he came inside in her house and demanded sexual favour from her and also hold her

hand and touched to his private part. On the basis of the said report, police have registered the crime.

3. Learned Counsel for the applicant submitted that due to the previous enmity, this false allegation is levelled against the present applicant. In fact, the alleged incident is not possible, as the allegation is that it was taken place at about 3.30 p.m. The house of the victim is situated in a building where other residents are also residing. As far as the custodial interrogation of the present applicant is concerned, which is not required and therefore, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that considering the allegation against the present applicant who has outraged the modesty of the victim, the application deserves to be rejected.

5. On hearing both sides and on perusal of the recitals of the FIR, it reveals that allegedly the present applicant has demanded sexual favour from her and also outraged her modesty. As far as the custodial interrogation is concerned, which is not required. In view of that, the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the present applicant by order dated 22.07.2025 is hereby confirmed on the condition that the applicant shall attend the concerned Police Station once in a week i.e. on Monday between 10.00 a.m. to 1.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.
- (iii) The applicant shall not enter into the vicinity of Park New Metro City, Shankarapur, Nagpur, till the culmination of the trial.
- (iv) The applicant shall not induce, threat or promise any witnesses including the victim either physically or through electronic media.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)