



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

CRIMINAL APPLICATION(BA) NO. 890 OF 2025

Satish Dipak Gawande Vs. State of Maharashtra and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Mir Nagman Ali, counsel for the applicant.

Mr.Anant Ghogare, APP for the State.

Mr.K.R.Bhise, counsel for non applicant No.2.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 07/10/2025

1) Heard.

2) By this application, the applicant has prayed for regular bail in Crime bearing No.100 of 2025 registered at Mangrulpir police Station, district Washim for the offence punishable under Sections 137(2), 64, 65(1), 65(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Ac, 2012 (for short 'POCSO').

3) It is alleged that the applicant and the victim are staying in the same village. The applicant had sexual relations with her. Without taking prior permission of her

parents, he took her from their custody. Missing complaint was lodged. Thereafter, the mother of the applicant called him and he along with the victim appeared before the police station and the crime is registered on the statement made by the victim.

4) The learned counsel appearing for the applicant has stated that the applicant has not committed any offence. He is 20 years of age. She is minor. But she willingly went with him as per her statement. He has not taken her forcibly. There is no any allegation about forcible intercourse or forcibly taking her to Shegaon. They went to Shegaon for Darshan and thereafter, after receiving call from his mother, he took her directly to police station. Considering the age of the applicant, prayed to release the applicant on bail.

5) The learned APP opposed the application stating that the medical report shows the sexual relations of the applicant with the minor girl. She is 12 years of age. He had sexual relations and he took her without consent of her parents. Considering the nature of offence, prayed to reject the application.

6) The learned counsel appearing for the victim has stated that after registration of the crime, grandfather of the victim has lodged the non cognizable case against this

applicant. The relatives of the applicant have given threats to the grandfather of victim. The applicant and the victim are resident of same village. If he is released on bail, there is every possibility of tampering the prosecution witnesses. Hence prayed to reject the application.

7) Heard both the sides.

8) The victim is 12 years of age. From her statement it appears that they were in love relations. They had sexual relations. Though the consent of the minor is not material, she has not stated about it was forcible. The medical report also shows that the hymen was torn but there was no any force. The statement of the victim shows that she willingly went with the applicant and applicant took her to the police station. Considering the age of both of them, the case is made out to release the applicant on bail.

9) Accordingly, I pass the following order:

i) Criminal application is allowed.

ii) Applicant- Satish Dipak Gawande be released on bail in Crime bearing No.100 of 2025 registered at Mangrulpir Police Station, district Washim for the offence punishable under Sections 137(2), 64, 65(1), 65(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Ac, 2012, on his

furnishing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

vi] The applicant not to enter into the village, where the victim is straying.

The Criminal Application stands disposed of accordingly.

JUDGE