



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

**CRIMINAL APPLICATION (BA) NO. 946/2025**

Shadab s/o. Shabir Sheikh

Vs.

The State of Maharashtra and Anr.

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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

Mr. F. F. Sheikh, Advocate for the Applicant.

Mr. D. V. Chauhan, G.P./Sr. Advocate with Ms Trupti Udehsi, A.P.P.  
for the Non-applicant/State.

Mr. V. Awachat, Advocate for Non-applicant No.2.

**CORAM : MRS.VRUSHALI V. JOSHI,J.**

**DATED : 17/09/2025.**

. Heard.

2. The applicant is arrested in Crime No.381/2025 registered at Police Station Khapa, District Nagpur for the offences punishable under Sections 64(1), 64(2)(a)(i), 137(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

3. It is alleged that the applicant and the victim were having love affair through Instagram. They came to know each other on Instagram and they went to Lodge and they had sexual relations.

4. The learned Counsel for the applicant has stated that it is out of love affair. The girl is 17 years of age. She is on the verge of majority. It was not forcible intercourse. Hence, prayed to release him on bail.

5. The victim was served. The learned Counsel for the victim has filed the affidavit of the father of the victim on record. The matter is compromised between the parties and they have no objection, if the applicant is released on bail.

6. The learned Government Pleader opposed the application stating that the girl is minor. Forcible intercourse is there. This cannot be the case where the compromise can be considered at the stage of bail. Hence, prayed to reject the application.

7. Heard the learned Counsel for the applicant, learned Government Pleader and the learned Counsel for the victim.

8. It is the case where the offence is registered out of love affair. Their friendship was developed on Instagram and thereafter, when they met, they had sexual relations. Though the girl has stated that it was forcible relations, the medical report does not support her case. Though the hymen is torn, it is old healed. There is no forcible sexual intercourse.

9. Considering the love affair and as the victim is on the verge of majority, the case is made out to release the applicant on bail. Accordingly, I pass following order:

i] Criminal application is allowed.

ii] Applicant - Shadab s/o. Shabir Sheikh be released on bail in Crime No.381/2025 registered at Police Station Khapa, District Nagpur for the offences punishable under Sections 64(1), 64(2)(a) (i), 137(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent 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 Investigating Officer.

iv] The applicant shall attend the concerned police station on every Monday and Saturday between 1:00 p.m. to 2:00 p.m.

The Criminal Application stands **disposed of** accordingly.

(MRS. VRUSHALI V. JOSHI, J.)