



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

CRIMINAL APPLICATION (ABA) NO. 680/2025

Kundan s/o. Sanjay Bhagat Vs. State of Maharashtra and Anr.

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

Court's or Judge's orders

Mr. Lubesh Meshram, Advocate for the Applicant.
 Mr. A. Ghogare, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 03/10/2025.

. Heard.

2. The applicant has apprehension of arrest in Crime No.614/2025 registered at Police Station Lakadganj, District Nagpur for the offences punishable under Sections 137(2), 65(1) 69 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Protection of Children From Sexual Offences Act, 2012.

3. It is alleged that the applicant and the victim were having friendship. As the applicant was selling the fruits near the house of victim they were acquainted with each other. The applicant proposed her. They had sexual relations for 9 to 10 times. The dispute took place between both of them and the applicant has stated that he will not marry with her. However, on 17.07.2025, he established sexual relations with her by giving threats and thereafter, he neglected her. Therefore, she has lodged the complaint.

4. The learned Counsel for the applicant has stated that the victim appeared before the Sessions Court in the anticipatory bail application proceeding and she has given in writing that she has no grievance against the applicant. She is having friendship with the applicant and

there were no sexual relations between both of them. Because of pressure of her parents, she has given the false statement before the police. Considering her statement, the learned Counsel for the applicant prayed to protect the applicant by granting anticipatory bail.

5. The learned A.P.P. has opposed the application stating that the medical report shows that the victim was sexually assaulted and she has given the medical history that she had 9 to 10 times sexual relations with the applicant. She is a minor. The learned A.P.P. pointed out the statement under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. In the said statement, she has stated that she is residing in Subhash Nagar, Nagpur (P. S. Kalmana). They had friendship and they were decided to marry after attaining the majority. On say of her parents, she has lodged the false complaint against the applicant and she does not want to proceed further against the applicant.

6. Heard both the learned Counsel for the respective parties.

7. Considering the statement made by the victim against this applicant and as the applicant and the victim were having love affair. Considering the statement of the victim, a case is made out to protect the applicant by granting anticipatory bail. Accordingly, I pass the following order:

i] It is directed that in the event of arrest of the applicant in connection with Crime No.614/2025 registered at Police Station Lakadganj, District Nagpur for the offences

punishable under Sections 137(2), 65(1) 69 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Protection of Children From Sexual Offences Act, 2012, he shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

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

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

iv] The applicant shall attend the concerned police station on every Tuesday between 1:00 p.m. to 2:00 p.m. till filing of the charge-sheet.

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

The application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)