



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

**CRIMINAL APPLICATION (BA) NO. 1154/2025**

Lomeshwar s/o. Suratlal Pardhi 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. D. N. Mehta, Advocate for the Applicant.  
Mr. A. Ghogare, A.P.P. for the Non-applicant/State.  
Mr. Aadil Mirza, Advocate h/f. Ms. Aarti Singh, Advocate for Non-applicant No.2.

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

**DATED : 02/12/2025.**

. Heard.

2. The applicant is arrested in Crime No.266/2025 for the offence punishable under Section 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that victim has lodged the report on 24.06.2024 alleging that she is working with the applicant on daily wages in the farm. Her husband is partially disabled person. She was having an acquaintance with the applicant. He took loan in the name of her husband for Rs.3,00,000/- and has not repaid the loan. She has to pay the loan. He has taken disadvantage of their acquaintance and had sexual relations with her. To save the job she has not lodged the complaint at that time. On 24.06.2025, when she asked him to repay the amount, he had forcible sexual relations with her. Thereafter, she lodged the complaint and the crime is registered.

4. The learned Counsel for the applicant has stated that though she had not lodged complaint against this applicant when he had sexual relations with her as she

was in need of job, but it is pointed out by the learned Counsel for the applicant that she had left the job in the year 2018 and lodged the complaint in the year 2025. Considering the allegations made, the medical report and the monetary transaction between the applicant and the complainant, prayed to release the applicant on bail.

5. Learned A.P.P. opposed the application stating that though the monetary transaction was there, he had forcible sexual relations with her and the applicant had stated about it. The applicant had taken disadvantage of her situation and had sexual relations with her. Hence, prayed to reject the application.

6. Learned Counsel for the victim has also objected to grant the bail as the matter is fixed for charge and trial will be commenced soon. Hence, prayed to reject the application.

7. Heard the learned Counsel for the respective parties.

8. The allegations are made about rape, monetary transaction is there between both the parties, since 2023 she has not lodged any complaint though she has made allegations that he had sexual relations with her. On perusal of the medical report, it appears that though she has made allegations about forcible sexual relations, there is no any injury on her person. Considering the monetary transaction between both of them and regular relations with consent, it appears that when she asked for repayment of the loan and it was not paid, she had lodged the complaint. The case is made out to release the applicant on bail. Accordingly, I proceed to pass the

following order :

- i] The criminal application is allowed.
- ii] The applicant shall be released on bail in connection with Crime No.266/2025 for the offence punishable under Section 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023, on furnishing P.R. Bond of Rs.25,000/- 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 attend the concerned Police Station on every Monday and Saturday between 1:00 p.m. to 2:00 p.m.
- vi] The applicant shall co-operate the Investigating Officer.

The Criminal application is disposed of accordingly.

**(MRS. VRUSHALI V. JOSHI, J.)**