



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

CRIMINAL APPLICATION (BA) NO. 1150/2025

Abhishek s/o. Sandip Padaghan 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. A. C. Dharmadhikari, Advocate for the Applicant.
Mr. A. Ghogare, A.P.P. for the Non-applicant/State.
Mr. P. S. Kadam, Advocate for Non-applicant No.2.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 11/12/2025.

. Heard.

2. The applicant is arrested in Crime No.212/2025 for the offences punishable under Sections 74, 75, 64(2)(m), 65(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6 and 8 of the Protection of Children from Sexual Offences Act, 2012 (for short, "the POCSO Act").

3. It is alleged that the applicant, who was having love relations with the victim, who was minor. They had regular relations and she became pregnant. Thereafter, the crime was registered on the complaint lodged by the mother of the victim.

4. Learned Counsel for the applicant has stated that, the applicant and the victim were having love affair. The applicant has admitted that he is having relations with the victim and he is ready to marry with her after attaining the age of majority. The applicant is 20 years of age. As they were having love relations, they had physical relations, and she was pregnant, which was disclosed and the crime is registered. As the applicant is ready to perform marriage with the victim, prayed to release him on bail.

5. Learned A.P.P. opposed the application stating that the victim is 15 years of age and the applicant had committed the offence under the POCSO Act. The fetus is aborted and D.N.A. report is still awaited. The applicant is denying the paternity of the said fetus. Hence, prayed to reject the application.

6. Learned Counsel for the Non-applicant No.2 opposed the application stating that the applicant is having criminal background. Though the victim is having love affair, the mother of the victim is not ready to perform the marriage of the victim with the applicant. They are staying in same village. If the applicant is released on bail, there is possibility of pressurizing the victim. Hence, prayed to reject the application.

7. Heard the learned Counsel for the applicant and the learned A.P.P. for the State.

8. The applicant is 20 years of the age and the victim is 15 years of the age. On perusal of the statement of victim, it appears that they were having love affair. They used to meet each other. Mother was also aware of their relationship. As the victim became pregnant and the mother came to know about their physical relations, the crime is registered. As it is out of love affair, considering the age of the applicant, the applicant deserves to be released 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.212/2025 for the

offences punishable under Sections 74, 75, 64(2)(m), 65(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6 and 8 of the Protection of Children from Sexual Offences Act, 2012, 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 is restrained from entering the village where the victim is staying.

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

The Criminal application is disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)