



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

CRIMINAL APPEAL NO. 510/2025

Gokul Jivan @ Jivankumar Tarale Vs. The 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. M. N. Ali, Advocate for the Applicant.
 Ms S. N. Thakur, A.P.P. for the Non-applicant/State.
 Ms Punam Pisurde, Advocate (Appointed) for Non-applicant No.2.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 11/12/2025.

. Heard.

2. The applicant is arrested in Crime No.270/2025 for the offences punishable under Sections 64(2)(m), 64(2)(j), 74, 75, 78, 87, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. It is alleged that the victim, who is 17 years and 8 months of age, has lodged a complaint against this applicant that the applicant used to chase her with ill intention. Thereafter, the applicant followed her and gave threat to her and asked her to withdraw the complaint filed against him. When she refused to do it, he compelled her to drink sprite. Thereafter, he took her to one room and there he had forcible sexual relations with her. Thereafter, he had continued the sexual relations by giving threats that he would viral the videos of their sexual relations.

On 27.05.2025, when she went with her step mother to her maternal uncle's home, the applicant came

near the victim and threatened to kill her if she goes anywhere without informing him. Thereafter, she has lodged the complaint.

4. The learned Counsel for the applicant has stated that the victim is 17 years and 8 months of the age. She is at the verge of majority. She was having love affair with this applicant. Under the pressure of parents, she has lodged the complaint. He has filed on record the photos and the chats between the applicant and the victim, which show that they were having love relations and out of love affair, they had sexual relations. The applicant is in jail since July, 2025. Considering the love relations of the applicant with the victim, further custody of this applicant is not necessary. Hence, prayed to release the applicant on bail.

5. Learned Counsel for the non-applicant No.2 has stated that there is difference between the age of the applicant and the victim. The victim is 17 years of age and the applicant is 32 years of the age. He had forcible sexual relations with her. She has lodged the complaint and has made allegations that he compelled her to drink the sprite and thereafter, she felt giddiness and then, he had sexual relation. The earlier First Information Report is also there. Considering the allegations made against this applicant, prayed to reject the application.

6. Learned A.P.P. opposed the application stating that the Atrocities Act is also registered against this applicant. The age of the victim is 17 years. The consent is immaterial. Hence, prayed to reject the application.

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

8. On perusal of the photographs and the chats filed on record by the applicant, it appears that, they were having love relations and out of the love relations, they had sexual relations. The photographs which are filed on record are not the part of charge-sheet, therefore, the finding about the photographs are only for the purpose of deciding this application. The victim has stated about frequent physical relations with the applicant. It is stated that the applicant has given threats, considering the love relations between the applicant and the victim though she is 17 years and few months of age, she is at the verge of majority. Considering the love relations between the applicant and the victim, 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.270/2025 for the offences punishable under Sections 64(2)(m), 64(2)(j), 74, 75, 78, 87, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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 not enter into the vicinity of the village Karmoda, where the victim is staying.

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

The Criminal application is disposed of accordingly.

Fees of the appointed Counsel for the Non-applicant No.2 be quantified as per Rules.

(MRS. VRUSHALI V. JOSHI, J.)