



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

CRIMINAL APPLICATION (BA) NO. 634 OF 2025

(Sahil S/o Siddharth Lade

Vs.

State of Maharashtra, Thr. PSO, PS Armori, Dist. Gadchiroli & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.N. Raut, Advocate for the Applicant.

Ms. Mrunal Barabde, APP for the Non-applicant No.1/State.

Ms. S.H. Bhatia, Advocate (Appointed) for the Non-applicant No.2/Victim.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 4th AUGUST, 2025

1. The Applicant came to be arrested on 03.04.2024, in connection with Crime No. 91/2024 registered with Police Station Armori, District Gadchiroli for the offences punishable under Sections 366-A, 376(2)(n), 376(3) of the Indian Penal Code and Sections 4, 6, 8 of the Protection of Children from Sexual Offences Act.

2. The crime is registered on the basis of the report lodged by the Victim girl on an allegation that she got acquaintance with the co-accused Neha Narendra Walke and the co-accused used to provide her foodstuffs, cloths and was pampering her. The co-accused also promised her that she will perform her marriage and took her alongwith her and handed over her to the co-accused Gaurav who has subjected her for sexual assault and subsequently also she has taken her

to another boy including the present Applicant. On the basis of said report, Police have registered the crime against the present Applicant. During investigation, various statements of the Victim were recorded including the statement under Section 164 of Cr.P.C. After completion of the investigation, charge-sheet is filed against the present Applicant.

3. Heard learned Counsel for the Applicant who submitted that the summary of charge-sheet is submitted and the summary of the charge-sheet itself shows that there is no material collected during the investigation to show the involvement of the present Applicant. The statement was subsequently changed by the Victim and she has specifically stated that the present Applicant has not done any act with her. There are inconsistent statements as far as sexual assault on her person is concerned. He submitted that, there was love affair between her and one Badal and the present Applicant is falsely implicated in the alleged offence. He submitted that, now investigation is already completed charge-sheet is already filed, the other co-accused is already released on bail the further incarceration of the present Applicant is not required. In view of that, the Application deserves to be allowed.

4. Learned APP and learned Counsel for the Victim strongly opposed the said Application and submitted that the recitals of the FIR itself shows that not only the present Applicant but the other co-accused have also subjected her for forceful sexual assault, other co-accused induced her for the said act. The Victim is only 14 years and 9 months girl, her

consent is not relevant. For all above these terms, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers from which it reveals that there was a love affair between the victim and one Badal. As far as the inducement or the sexual assault at the hands of the present Applicant is concerned, there are inconsistent statements made by the Victim at various stages. Considering now investigation is completed and charge-sheet is filed, further incarceration of the present Applicant is not required. In view of that, the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.
- ii. The Applicant – Sahil S/o Siddharth Lade in connection with Crime No.91/2024 registered with Police Station Armori, District Gadchiroli for the offences punishable under Sections 366-A, 376(2)(n), 376(3) of the Indian Penal Code and Sections 4, 6, 8 of the Protection of Children from Sexual Offences Act, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) with one solvent surety in the like amount.

- iii. The Applicant shall not enter into the vicinity of Village Bardi, Taluka Armori, District Gadchiroli, till culmination of the trial.
- iv. The Applicant shall attend the concerned Police Station as and when required for the investigation purpose and shall cooperate with the investigating agency
- v. The Applicant shall attend the proceedings before the Special Court without seeking any exemption unless there are exceptional circumstances.
- vi. The Applicant shall not induce, threat or promise any witnesses in any manner who are acquainted with the facts of the case either personally or by way of electronic media.
- vii. Contravention of any of the condition would lead to the cancellation of bail.

Fees of the learned Appointed Counsel be quantified as per rules.

6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)