



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

CRIMINAL APPLICATION (BA) NO. 827 OF 2025

(Sujeet s/o Vishwajeet Rathod vs. State of Maharashtra and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. J.B.Gandhi, Advocate for applicant.
Mr. A.J.Gohokar, APP for respondent No.1-State.
Mr. Chetak Dhanjode, Advocate for respondent No.2.

CORAM : VRUSHALI V. JOSHI, J.

DATE : SEPTEMBER 15, 2025

1) The applicant is arrested in Crime No. 164/2025 for the offence punishable under Sections – 64, 71, 296, 151(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, registered with Police Station Pinjar, Tah. Barshitakli, District – Akola.

2) It is the case of the prosecution that the victim who is 17 years of age was having an affair with the accused who is 21 years of age. Out of love affair they had physical relations. It is the case of the prosecution that for 15 days the applicant did not respond her phone calls, as such, she went to the house of applicant and asked his parents to perform her marriage with their son. The mother scolded and asked her to go and die, therefore, she had attempted to commit suicide. She had consumed rat poison and thereafter offence came to be registered against the parents of the applicant. The parents of the applicant obtained anticipatory bail.

3) Learned counsel for the applicant stated that the applicant and the victim were having love affair. She is 17 years of age. Only because the mother scolded, she had tried to commit suicide, thereafter her statement was recorded. In her statement also she has stated about love affair between her and the applicant. In station diary entry the statement of the victim and thereafter her statement, there is difference. In an earlier statement she had stated that she could not contact the accused and therefore, she went to the house of the accused. The statement made thereafter about his denial about love affair and then attempted to commit suicide is not correct. Considering the age of the victim and applicant and as it is the case of the love affair, learned counsel prayed for release of the applicant on bail.

4) Learned APP strongly opposed the application stating that this is not a case of love affair. The victim had made a statement that the applicant used her and he is not ready to marry with her. He had given assurance of marriage and as the mother of the applicant scolded her, she had attempted to commit suicide.

5) Learned counsel for the victim submitted that if the applicant is released on bail, there is every possibility of commission of other serious offence. Two complaints are already lodged by the father of the victim. It appears that they tried to settle the matter. As the victim is 17 years of age and accused had given threat to viral the photographs of the victims, learned counsel prayed for rejection of the present application.

6) Heard learned APP, learned counsel for the applicant and learned counsel for the victim.

7) No doubt this is the case of love affair. The victim is at the verge of majority, she is 17 years and few months of age. She had stated that out of love affair they had physical relations. As the applicant did not respond her phone calls, she went to his house and when the mother of the applicant scolded her, thereafter, she attempted to commit suicide. It appears from the record that family members of the applicant went to see the victim and they tried to settle the matter with the parents by stating that they will perform the marriage of the applicant with victim girl after she become major. They have not given any assurance in writing. The complaint was lodged, as the relations were out of love affair and her earlier statement does not disclose that he had refused to marry with her and the statement about timepass is not there. This is a fit case to release the applicant on bail on certain conditions, which are as under :-

- i) The application is allowed.
- ii) The applicant-**Sujeet s/o Vishwajeet Rathod** shall be released on bail in connection with Crime No.164/2025 for the offence punishable under Sections - 64, 71, 296, 151(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, registered with Police Station Pinjar, Tah. Barshitakli, District - Akola on his executing P.R.Bond of Rs.25,000/- with one surety in the like amount.
- iii) The applicant shall attend the concerned Police Station, twice on 1st and 15th of every month and the Police Station Officer shall record his presence.

iv) The applicant shall not induce threat or promise any witnesses, who are acquainted with the facts of the case.

v) The applicant shall not enter into the village Januna, Tah.Barshitakli, District Akola, where the victim is residing, till culmination of the trial.

vi) The applicant shall furnish his detail address along with address proof and his mobile number. So also surrender his mobile phone to the Investigating Officer.

Vii) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

8) The application is disposed of in the above terms.

(VRUSHALI V. JOSHI, J.)