



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

CRIMINAL APPLICATION (ABA) NO. 213 OF 2025

VINOD SHAMRAO PAWAR

...**VERSUS**...

THE STATE OF MAHARASHTRA, THR. POLICE STATION OFFICER, POLICE STATION AVDHOOTWADI, DIST. YAVATMAL AND ANR.

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri M.N. Ali, Advocate for applicant.
 Ms. S.S.Dhote, APP for non-applicant no. 1/State.
 Ms. Bhavya C. Dhruv, Advocate (appointed) for non-applicant no. 2.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 02nd MAY, 2025

Apprehending the arrest at the hands of police in connection with Crime No. 102/2025 registered under Sections 74, 333, 351(3), 352 of BNS and under Section 8 of Protection of Children from Sexual Offences Act, the applicant approached before this Court for grant of pre-arrest bail.

2. Heard the learned counsel for the applicant, who submitted that, the allegation against the present applicant is that, he has outraged the modesty of a minor victim girl by touching her chest. On the basis of the report, the police have registered the crime against the applicant. He submitted that, the recitals of the FIR itself show that there was a dispute between the informant and present applicant on account of maintenance of the flat and due to which, the quarrel was started and in that quarrel, while pushing the victim, the applicant has touched her chest. Thus, there was no criminal intention. As far as the modesty is concerned, his custodial

interrogation is not required. In view of that, he be protected by granting anticipatory bail.

3. The learned APP for the State strongly opposed the same and submitted that the criminal antecedents are not narrated by the present applicant in the application. The intention of the present applicant can be gathered from the recitals of the FIR itself. Considering the nature of the offence, he has outraged the modesty of the victim, the application for grant of anticipatory bail deserves to be rejected.

4. The learned counsel for the victim endorsed the same contentions and submitted that the application deserves to be rejected.

5. On hearing both the sides and on perusal of investigation papers, it reveals that the alleged incident has occurred during the quarrel of which took place on account of maintenance of said the flat. At this stage, considering the allegation levelled against the present applicant, admittedly his custodial interrogation is not required as nothing is to be recovered from him. As far as criminal antecedents are concerned, he has filed an affidavit submitting that inadvertently, the criminal antecedents are not mentioned in the application. Considering all these aspect, the application deserves to be allowed. Accordingly, I proceed to pass the following order:-

ORDER

- i) The application is allowed.
- ii) The applicant - Vinod Shamrao Pawar shall be released

on anticipatory bail in the event of his arrest in connection with Crime No. 102/2025 registered under Sections 74, 333, 351(3), 352 of BNS and under Section 8 of Protection of Children from Sexual Offences Act, on executing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.

iii) The applicant shall attend the concerned Police Station as and when required for the investigation purpose and shall co-operate with the investigating agency on receipt of the notice in advance.

iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

v) The applicant shall attend the proceedings regularly before the Special Court without seeking any exemption unless there are exceptional circumstances.

vi) The contravention of any of the condition would lead to the cancellation of bail.

vii) The fees of the appointed counsel be quantified as per Rule.

viii) The application stands **disposed of**.

(URMILA JOSHI-PHALKE, J.)