Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO.84/2026

MR SURYA CHANDRAKANT PALYEKAR
(PRESENTLY IN JUDICIAL CUSTODY,
MODERN CENTRAL JAIL) … APPLICANT

Versus

STATE OF GOA REPRE BY THE OFFICER
IN CHARGE/INVESTIGATING OFFICER
OLD GOA POLICE STATION AND ANR. … RESPONDENTS

Mr Vinayak Porob, Mr Eshwar Khobarekar, Mr Ayush Fadte and Mr Ronit Naik, Advocates for the Applicant.

Ms Swati Kamat Wagh, Additional Public Prosecutor for Respondent No.1.

Mr Arpit Sharma (thr VC) and Ms Vailankanni S. Sequeira, Advocates for Respondent No.2

CORAM: ASHWIN D. BHOBE, J.

DATED: 5th NOVEMBER 2026

P.C. :

1. Heard Mr Vinayak Porob, learned Advocate for the Applicant, Ms Swati Kamat Wagh, learned Additional Public Prosecutor for the State and Mr Arpit Sharma, learned Advocate for Respondent No.2.

2. By this Application filed under Section 483 of the Bharatiya

Nagarik Suraksha Sanhita, 2023 (BNSS, 2023), the Applicant seeks Regular Bail in connection with Crime No. 121 of 2026, dated 22.09.2026, registered at the Old Goa Police Station, North Ga, for offences punishable under Section 75(2) of BNSS, 2023, read with Section 8 of the POCSO Act, 2012, and Section 8(2) of the Children's Act, 2005.

3. Mr Vinayak Porob, learned Advocate for the Applicant, states that the Applicant is the sole accused in Crime No.121of 2026.

4. In brief, the prosecution case is that the Applicant, who is the cousin brother of the Respondent No.2 (victim), sexually abused the Respondent No.2 while she was asleep in the Applicant's house.

5. The Applicant was arrested on 24.09.2026. The Bail Application No. 66 of 2026, filed by the Applicant before the Children's Court for the State of Goa at Panaji ("Children's Court"), was rejected on 05.10.2026.

6. Mr Vinayak Porob, learned Advocate for the Applicant, states that Respondent No. 2 is his cousin sister. He submits that Respondent No. 2, who has an ailment, was in a relationship with a boy. He states that the Applicant intervened in that matter and cautioned the boy to protect Respondent No. 2. This annoyed Respondent No. 2, who then filed a complaint alleging offences against the Applicant.

7. Mr Vinayak Porob submits that the alleged incident itself is doubtful. He further submits that the Applicant, who is the cousin brother of Respondent No. 2, treats Respondent No. 2 with respect and as his sister. He further submits that the Applicant has not indulged in any of the alleged act or otherwise.

8. Ms Swati Kamat Wagh, learned Additional Public Prosecutor for the State, submits that on the basis of the complaint filed, Respondent No.1 has registered Crime No. 121 of 2026, dated 22.09.2026.

9. Mr Arpit Sharma, learned Advocate for Respondent No. 2, submits that Respondent No. 2, the cousin sister of the Applicant, has no grievance against the Applicant and does not oppose the Applicant's request for bail.

10. Perused records with the assistance of the learned Advocates for the Parties.

11. The alleged incident as referred to in Crime No. 121 of 2026 occurred on 17.09.2026. The complaint was lodged on 22.09.2026.

12. The maximum punishment for the offences charged against the Applicant would be three years.

13. Given the nature of the allegations in the complaint, the delay in filing the FIR, *prima facie*, raises a doubt about the

occurrence of the incident. Mr Vinayak Porob, learned Advocate for the Applicant, submits that the Applicant respects Respondent No.2 as his sister.

14. Considering the nature of the allegations, the maximum punishment prescribed for the offence charged against the Applicant and further the stand taken by Respondent No.2 before this Court, as submitted by Mr Arpit Sharma, learned Advocate representing Respondent No.2, continuation of the Applicant in jail pending the trial in the said crime is not warranted.

15. In view of the above this Application is allowed on the following conditions:

(a) Applicant is directed to be released on bail in connection with Crime No.121 of 2026, registered with Old Goa Police Station, North Goa, upon furnishing a P. R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one or two sureties, in the like amount, to the satisfaction of the Children's Court.

(b) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade that person from disclosing the facts to the Court or any police officer, nor shall Applicant tamper with evidence.

(c) Applicant shall, within three (3) days of his release from jail, provide to the Investigating Officer, Old Goa Police Station, his residential address with proof, the contact numbers / WhatsApp number and must inform the Investigating Officer about the change in the same from time to time.

(d) Applicant shall appear before the Children's Court as and when the matter is committed for trial.

16. Criminal Application (Bail) No. 84/2026 is disposed of.

17. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on the production by fax or email of a digitally signed copy of this order.

ASHWIN D. BHOBE, J.

Signed by: SUCHITRA NANDAN SINGBAL
Designation: Personal Assistant
Date: 05/11/2026 16:52:09