

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3017 OF 2025

Suraj @ Kanya Sukhdev Chaugule	...Applicant
Versus	
State Of Maharashtra And Anr.	...Respondents

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Adv. Saurabh P. Tandale h/f Adv. Abdul Quadir Auti, for Applicant.
Mr. P. P. Deokar, APP for the Respondent-State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 6th MARCH, 2026.

P.C:

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 23.03.2025 bearing Crime No. 167 of 2025 registered with Solapur Taluka Police Station for the offences punishable under Sections 64(2)(I), 65(2), 74, 76 & 79 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4, 6, 8 & 12 of the Protection of Children from Sexual Offence Act, 2012.
2. The prosecution case is that, on 19th March, 2025, the victim informed the Complainant that the Accused was loitering near their residence and making inappropriate hand gestures toward her. On 20th March, 2025, while at the village market, the victim identified the

Accused. When Complainant confronted the Accused in front of witnesses and warned him to stay away from her daughter. The Accused responded dismissively. On the evening of 22nd March, 2025, following a domestic dispute regarding a mobile phone, the victim complained of pain in her private parts. Upon being questioned by the Complainant, the victim disclosed a series of sexual assaults committed by the Accused. On 22nd March, 2025, at approximately 12:30 PM, the Accused entered the Complainant's house while the victim was alone. He forcibly closed the door, threatened to kill her if she screamed, disrobed her, and touched her private parts and chest inappropriately. The victim stated that the Accused subsequently entered the house on 2-3 other occasions, followed the same pattern of locking the door and committed sexual assault.

3. The learned counsel for the applicant submits that this is a case of false implication. The medical evidence doesn't support the case of prosecution. It is further submitted that investigation is complete for all intent and purpose. As such, further incarceration of applicant is unjustified.

4. Per contra, the learned APP and the learned counsel for the victim have vehemently opposed the application submitting that the applicant is indulged in a serious offence, which disentitles the applicant to release on bail. Hence, prayed for the rejection of the

application.

5. Upon considering the submissions of the learned counsel for the applicant, learned APP and learned counsel for the victim, it appears to be a case of over-implication. The allegation is of sexual assault, however, the medical examination, prima facie, doesn't lend support to the prosecution case.

6. Moreover, the investigation is complete for all intent and purpose and, eventually charge-sheet is also filed. Having regard to the number of witnesses the prosecution proposes to examine, it is very unlikely that the trial would commence and conclude within reasonable period.

7. As such, further incarceration of the applicant as an under trial prisoner, in the circumstances mentioned hereinabove doesn't seem to be either warranted or justifiable. I am, therefore, persuaded to exercise discretion in favour of the applicant. The prosecution can be adequately taken care by imposing stringent condition.

8. Hence, the following order :-

ORDER

(I) Application is **allowed**.

(II) Applicant – Suraj @ Kakya Sukhdev Chaugule be released on regular bail on furnishing PR. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 167 of 2025 registered with Solapur Taluka Police Station for the offences punishable under Sections 64(2)(I), 65(2), 74, 76

& 79 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4, 6, 8 & 12 of the Protection of Children from Sexual Offence Act, 2012, on the following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed address and phone number of applicant and two of the near relatives.
- (d) The applicant shall not reside within the North Solapur till conclusion of trial.
- (e) Breach of the any of the condition will entail the cancellation of bail.

9. Needless to state that the observations rendered herein are confined to the extent of this application and the trial Court shall not be influenced by the same.

10. Fess of learned counsel representing respondent No.2 shall be paid in accordance with rule.

[SACHIN S. DESHMUKH, J.]