

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLN. NO. 3722 OF 2025**

Rohit Alias Gotya Anil Chougule

....Applicant

VERSUS

The State Of Maharashtra And Anr.

....Respondents

Mr. Nakul Vivek Shukla i/b Mr. Jayant Bardeskar, Advocate for Applicant

Mr. Rajvardhan S. Chougule (appointed through Legal Aid) for respondent no. 2

Mr. C. D. Mali, APP for the State

Ms. Pallavi Yadav, API, Hatkanangale Police Station

CORAM : SACHIN S. DESHMUKH, J.**DATE : 4th MARCH 2026.****P.C.**

1. The applicant seeks regular bail in connection with C.R. No. 178 of 2025 dated 15/04/2026 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 79 of Bhartiya Nyaya Sanhita, 2023 and Section 12 of The Protection of Children from Sexual Offences Act, 2012.

2. Prosecution case is, Complainant, Komal Rahul Shinde, a homemaker residing at Laxminagar, Rukadi, Taluka Hatkanangale, District Kolhapur, lodged a complaint at Police Station stating that she

resides at the aforementioned address with her mother-in-law, Smt. Akkatai Anil Shinde, and her husband, Anil Shinde, who is employed in fabrication work. The Complainant further stated that her niece, Sakshi Vikas Lokhande aged resides in the same lane with her parents, Varsha and Vikas, and her brother, Pratik. Their neighbor, Rohit Anil Chougule, is also a resident of the same locality and is known to them. On 14/04/2025, the complainant, who was five months pregnant at the time, visited 'Sai Clinic' in Rukadi for a routine medical check-up accompanied by her niece. After completing the check-up around 09:30 PM, while returning to home, upon reaching Shivaji Chowk, encountered the neighbor, Rohit Anil Chougule, accompanied with his friend, Shashikant Kabir Chavan. As the Complainant and her niece approached, the accused pointed toward them with obscene remark to his friend.

3. The complainant stated that these vulgar remarks caused deep mental distress and intending to insult the modesty of both herself and her minor niece. Following the comment, the accused left the scene with his friend. Thereafter, she lodged a complaint against the present applicant.

4. Learned counsel for the applicant submits that the applicant is arrested since 15/04/2025. Investigation is completed. There are

no independent witnesses to the alleged incident. The offence is triable by the Magistrate and the maximum punishment that could be awarded is three years.

5. Per contra, learned APP and learned counsel appearing for respondent no. 2 vehemently opposed the application submitting that this is a successive offence of a similar nature which disentitle the applicant to be admitted to the bail.

6. Upon hearing learned counsel for the applicant, learned APP and learned counsel for respondent no. 2, *prima facie* it appears to be the case of over implication, in absence of any independent witness to the alleged incident. In any case, investigation is completed for all intent and purpose and charge-sheet is filed. As such, further incarceration of the applicant would be unjustified. As far as the apprehension expressed by the learned A.P.P. in relation to tampering prosecution witnesses is concerned, the same can be adequately taken care of by imposing stringent conditions. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Rohit Alias Gotya Anil Chougule be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs. Fifty

Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 178 of 2025 dated 15/04/2026 registered with Hatkanangale Police Station, District Kolhapur for offences punishable under Sections 79 of Bhartiya Nyaya Sanhita, 2023 and Section 12 of The Protection of Children from Sexual Offences Act, 2012 on the following conditions :-

- (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court
- (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move to the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail.
- (e) Professional fees to be paid to learned counsel appointed through Legal Aid for respondent no. 2 as per Rules.

- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

IRESH
MASHAL

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