

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3741 OF 2025**

Om Shailratna JoglekarApplicant
Vs.
The State of Maharashtra & Anr.Respondents

Mr. U. R. Jamdar, i/b. Mr. Priyal G. Sarda (Through VC), for the Applicant.

Mr. Pankaj P. Deokar, APP, for the Respondent No.1-State.

Mr. Nilesh Joshi, for the Respondent No.2.

Mr. Ajit Patil, API, is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 16th FEBRUARY 2026

PC.:-

1. The Applicant is arrested in Crime Registration No.665 of 2025 registered with Faujdar Chawadi Police Station, Solapur City for the offences punishable under Sections 64, 64(2)(m), 78, 308(2), 308(3), 61(2) and 351(2) of the Indian Penal Code and Section 12 of the the Protection of Children from Sexual Offences Act, 2012 ('POCSO').

2 It is alleged that the Applicant and the victim came to know each other through social media applications such as snap chat and Instagram. This Applicant contacted the victim stating that some of

her nude photographs are with one of the accused and two persons are circulating the said photographs and he saw it on the Instagram of said two co-accused and he is ready to help her to delete said photographs from his mobile. Thereafter they acquainted with each other. They started chatting and meeting. It is alleged that once the Applicant and the victim alongwith one girl named Aarya went to Mahabaleshwar and there the Applicant/accused had physical relations with her. Said relations were not with consent. Thereafter again he established the relations by stating that he is having her photographs and he will circulate it. He was in need of money and Applicant asked the victim to bring said amount. The victim has taken money from the house of her parents without intimating them and gave it to the Applicant. Again the Applicant asked her to give money and at that time, she stolen the gold jewelry from her house and handed over it to the Applicant.

3. The counsel for Applicant has stated that the Applicant and the victim were having love affair. As per her birth certificate, the incident of the sexual relation took place after she became major. As both of them were having love affair, they were in regular contact with each other. The CDR report shows that they were deeply in

contact with each other. The consensual relations were after attaining majority and therefore, no offence is made out against the Applicant. The Applicant has also given money to this victim. He has further submitted that the dates which she has mentioned that she had handed over the gold ornaments and the mother has stated about the theft in her house are different. Considering the allegations and as the Applicant and victim were having love affair and the parents were against the said relations, the crime is registered and prayed to release him on bail.

4. The counsel for victim has opposed the application stating that the phones of the Applicant and other co-accused were seized. Though the photographs are deleted, the Applicant is submitting the photographs before this Court to show that it was out of love affair. There is recovery of gold ornaments from this Applicant. This is not out of love affair. The victim was given threats and she was under pressure and referred for psychiatric treatment. Hence, prayed to reject the application.

5. The learned APP opposed the application stating that there is recovery of gold ornaments from this Applicant. The FIR itself shows

that it is not out of love affair and hence, prayed to reject the application.

6. Heard learned counsel appearing for both the parties and counsel for the victim.

7. The victim is a student of MBBS. She got acquainted with this Applicant through Instagram. She had committed some mistakes and to correct it, the Applicant tried to help her and had taken the money. Though she has written a letter to him or sent love messages, under the name of love he had extorted the amount, he asked the complainant to bring the amount and she had stolen the gold ornaments from her own house and handed over it to him. She is under treatment of psychiatrist. She has denied the love affair. The relations which were established between both of them were under threat, though it was after attaining maturity. If she is saying that it was under pressure and not out love affair, no case is made out to release the Applicant on bail.

8. Hence, the Application is rejected.

(MRS. VRUSHALI V. JOSHI, J.)