

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL BAIL APPLN. NO. 3789 OF 2025**

Aadesh Dilip Kale

....Applicant

**VERSUS**

The State Of Maharashtra And Anr

....Respondents

Ms. Ujwala Pharatade, Mr. S. J. Kshirsagar Advocate for Applicant

Ms. Supriya Koregave for respondent no. 2

Mr. Anand S. Shalgaonkar APP for the State

**CORAM : SACHIN S. DESHMUKH, J.**

**DATE : 10<sup>th</sup> MARCH 2026.**

**P.C.**

1. Learned counsel Ms. Supriya Koregave is appointed to represent respondent no. 2.

2. By this application, applicant is seeking regular bail in C.R. No. 599/2025 dated 22/09/2025 registered with Pandharpur City Police Station, District Solapur for offences punishable under Sections 64(1), 64(2)(j), 65(1) 351 of the Indian Penal Code.

3. Prosecution case is that, applicant was teaching Bhajan and Kirtan to the boys and girls in Math. There are allegations in FIR that when the victim was alone in the library, at that time the applicant used to touch her inappropriately and tried to pull improperly. In month of August, prior to two to three days of Ganesh Festival in midnight, the victim while fetching water, at that time, applicant

reached there and caught hold her hand and took her inside one room. He tried to sexually assault her. Applicant also threatened to her. The victim left away. The victim narrated the alleged incident to medical officer upon referred by Hadapsar police station for medical check up.

4. Learned counsel for the applicant submits that the alleged incident is of August 2025 in relation to which F.I.R. is lodged on 22/09/2025 for which there is no explanation offered. Arrest of the applicant is effected on 23/09/2025. Investigation is completed and charge-sheet has been filed. As such, further incarceration of the applicant would not be justified.

5. *Per contra*, learned APP and learned counsel representing respondent no. 2 have opposed the application submitting that complicity of the present applicant is apparent and considering the age of the victim, applicant would not be entitled to be admitted to the bail.

6. Upon considering the submissions of learned counsel for the applicant, learned APP and learned counsel for respondent no. 2, and perusal of material on record, prima facie indicates that there is unexplained delay while reporting it to the police. Nevertheless, the medical report prima facie does not support the case of the prosecution.

7. Apart from aforesaid aspect, investigation is completed and charge-sheet has been filed for all intent and purpose.

8. Considering the number of witnesses as cited by the prosecution, there is no likelihood of commencement and conclusion of trial in the near future. In that view of the matter, applicant's further continued incarceration would be unjustified.

9. So far as the apprehension expressed by the learned APP about influencing prosecution witnesses, can be adequately taken care of by imposing stringent conditions. Hence, following order:

### **ORDER**

I. The bail application is allowed.

II. Applicant, Aadesh Dilip Kale, 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. 599/2025 dated 22/09/2025 registered with Pandharpur City Police Station, District Solapur for offences punishable under Sections 64(1), 64(2)(j), 65(1) 351 of the Indian Penal Code, 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 the concerned seeking cancellation of bail.

10. 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.

11. Professional fees to be paid to learned counsel appointed through Legal Aid for respondent no. 2 as per Rules.

**(SACHIN S. DESHMUKH, J.)**