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

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CR. ANTICIPATORY BAIL APPLICATION NO. 2310 OF 2025

Savita Suresh Chavan

...Applicant

VERSUS

State of Maharashtra And Anr.

...Respondents

Mr. Saurabh P. Tandale a/w Abdul Quadhir Auti & Pratik Jadhav for the Applicant.

Mr. Tejas Hilage appointed Advocate for Respondent No. 2.

Mr. Rajvardhan S. Rane i/b Sakshi jankar for Respondent No. 2 in ABA/1900/2025.

Mr. Anand Subhash Shalgaonkar, APP for the Respondent-State.

CORAM : MEHROZ K. PATHAN, J.

DATE : 12th JUNE, 2026.

P.C.

1. Heard the learned Counsel for the Applicant, the learned APP for the State and learned appointed counsel for Respondent No. 2.

2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.69/2025 registered with Faujdar Chawadi Police Station, District Solapur for the offences punishable under Sections 376,(2)(N,I,J), 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860, under Section 4, 6 of Protection of Children from Sexual Offences Act, 2012 and under Sections 9 and 11 of the Prohibition of Child Marriage Act (PCMA), 2006.

3. The case of the prosecution as it prima facie appears from the report dated 11.02.2025 lodged by the informant/victim, who is aged below 16 years, that on 02.05.2024 marriage of her elder sister was performed with co-accused Kiran Suresh Chavan. Informant's father died on 29.08.2024. After marriage, her sister went to her matrimonial home and the victim also accompanied her. On the second and forth day of marriage, the in-laws of her sister scolded her on account of domestic chores and made her to cry. Therefore, informant's sister was residing under great terror of her in-laws in the matrimonial home. The informant's sister disclosed the incidents to her and her mother, but her mother told that initially these things happen and not to think to come back at maternal home. The informant's sister felt her future in dark and therefore on 07.05.2024 informant's sister ran away and despite search, she could not find. Therefore, on 08.05.2024 co-accused Suresh, Nitin, Kiran and Applicant Savita started forcing the informant to perform marriage with her sister's husband namely co-accused Kiran. The informant disclosed that she is under age for marriage and she also don't like co-accused Kiran. However, co-accused Suresh, Nitin and Kiran forcibly brought the informant/victim to the office of co-accused Kavita Chavan's Tiger Group situated in front of Ambassador Hotel at Solapur. Thereat the co-accused Nitin, Kiran and Kavita Chavan threatened the informant/victim that they will kill her parents within two days if she will not perform marriage with co-accused Kiran. At that time, as the informant was not giving consent for

the marriage, co-accused Kavita Chavan slapped her on the cheek, pulled her hairs, fall her down and by putting her leg on the head, abused the informant in filthy language and threatened that if she will not perform marriage with co-accused Kiran, she will brutally cut the limbs of her parents and will throw it at unknown place. That time the informant/victim got scared to the assault and threats given by co-accused Kavita and shows her consent to perform marriage with co-accused Kiran, though she was not willing.

4. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. The Applicant is the mother-in-law of the informant/victim, who is married to Accused No. 1. Apart from this relationship, there are no allegations regarding the Applicant's involvement in the present crime. The other co-accused, who were arrested namely Nitin Chavan and Kiran Chavan against whom, there are allegations of committing rape upon a minor victim girl, have already been released on regular bail vide order dated 30.03.2026 passed in Cri B.A. No. 214 of 2026 and Cri. B.A. No. 276 of 2026. The other co-accused Kavita Chavan against whom, there are direct allegations of performing the marriage of the minor victim girl by harassing the family members of the victim, is already protected by the interim order passed by this Court dated 06.01.2026 which is continued till date. The Applicant is old aged lady mother-in-law of the informant/victim. The entire FIR is a concocted story created by the victim girl only with an intention to wreak vengeance

against the family members of the Applicant. The FIR is belatedly lodged after a period of nine months. The Applicant is not having any criminal antecedents and she is ready to abide any condition that may be imposed by this Court. Hence, she may be protected and released on anticipatory bail.

5. As against this, the learned APP strongly opposes the present application on the ground that the Applicant is involved in the serious case of committing rape upon a minor girl by forcing her into marriage despite knowledge of the fact that the victim girl is minor. The relevant provisions of the child marriage is also invoked in the present crime. The Applicant's presence is shown while performing the marriage. The Applicant along with the other family members of the husband Kiran Chavan had forced the family members of the informant/victim to enter into an agreement illegally for performance of marriage with the minor victim girl. The Applicant though not directly implicated in the FIR, was allegedly present during the entire events that have taken place leading to the forcible marriage of the minor victim girl. There is an agreement signed by the informant/victim's family and the son of the present Applicant which substantiates the allegations in the FIR. The offence is serious in nature. As such, this is not a fit case to release the Applicant on anticipatory bail.

6. The learned appointed counsel for Respondent No. 2 also adopts the argument of the learned APP and vehemently opposes the Applicant on the ground that the Applicant was present throughout the events that have

taken place leading to the forcible marriage of the son of the present Applicant Kiran Chavan and the informant/victim minor girl. The role of the present Applicant is clearly made out in the statements recorded under Section 183 of Bharatiya Nyaya Sanhita, 2023. The offence is serious in nature and punishable with life imprisonment. Hence, this is not a fit case to release the Applicant on anticipatory bail.

7. I have gone through the investigation papers, which have culminated in the filing of a chargesheet against the arrested accused persons. I have also gone through the order dated 30.03.2026 passed by this Court in Cri. B.A. No. 214 of 2026 and Cri. B.A. 276 of 2026 wherein this Court has released the arrested accused Nitin Chavan and Kiran Chavan. I have also gone through the interim order passed by this Court in ABA No. 1900 of 2025 whereby the accused Kavita Chavan is protected by the interim order passed by this Court which is continued till date.

8. Perusal of the FIR and the statements recorded under Section 183 of Bharatiya Nyays Sanhita, 2023 of the informant/victim girl shows that the entire allegations are directly attributed to the arrested accused Kiran Chavan and one Kavita Chavan, who is already protected by this Court. Against the present Applicant, there are only general allegations that she was present at the marriage of the minor victim girl, who was allegedly forced to solemnize the marriage pursuant to an agreement. There is no direct role attributed to the Applicant women, who is the mother of the main accused Kiran Chavan. The main accused

Kiran Chavan was already arrested and released on regular bail. Taking into consideration the nature of allegations and also the delay of nine months in lodging of the FIR. I am inclined to protect the Applicant. The apprehension of the learned APP can be taken care of by imposing conditions upon the Applicant. However these observations are prima facie in nature and are made only with purpose to decide the present application and the same may not influence the trial Court. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Savita Suresh Chavan in connection with Crime No.69/2025 registered with Faujdar Chawadi Police Station, District Solapur for the offences punishable under Sections 376,(2) (N,I,J), 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860, under Section 4, 6 of Protection of Children from Sexual Offences Act, 2012 and under Sections 9 and 11 of the Prohibition of Child Marriage Act (PCMA), 2006, she be released on bail on furnishing P. R. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

- (a) The Applicant shall attend Faujdar Chawadi Police Station, District Solapur on every Saturday between 11:00 am. to 01:00 pm. and thereafter as when called by the Investigating Officer, till filing of the supplementary charge-sheet if any against the present Applicant.
- (b) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.
- (c) The Applicant shall not threaten the informant/victim or contact the Complainant.

(d) The Applicant shall submit his/her Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of herself and two of the near relatives.

(e) A single violation by the Applicant, such as making an attempt to contact or threaten the complainant, shall entitle the prosecution to seek cancellation of the Applicant's bail.

(ii) The application is allowed in the above terms and stands disposed of.

(MEHROZ K. PATHAN, J.)