

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

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2518 OF 2025

Sagar Mahadev Pandhare

... Applicant

Versus

The State of Maharashtra and another

... Respondents

Mr. Ritesh Thobde a/w Mr. Merwin Bardeskar, Changdev Shingate, Darshan Singh Rajpurohit, for the Applicant.

Mr. S.S. Choudhary, A.P.P, for Respondent No.1 – State.

Mr. Sachin Madhav Bhavar, for Respondent No.2.

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Head Constable/1682 A.S. Moholkar Karmala Police Station, Solapur Rural present.

CORAM : M. W. CHANDWANI, J.

DATE : 20th APRIL, 2026.

P. C. :

1. Applicant is apprehending arrest in connection with Crime No.963 of 2025 registered with Karmala Police Station, District Solapur (Rural) for the offences punishable under Sections 74, 75 (2), 115 (2), 351 (2) of Bhartiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Heard the learned counsel for the Applicant and the learned A.P.P. for Respondent No.1 – State assisted by learned counsel for Respondent No.2 – prosecutrix.

3. Upon perusal of the case diary, it transpires that the victim is a minor girl aged approximately seventeen years. On 24th November, 2025, she was proceeding from her residence to attend her school. At the relevant time, the Applicant expressed his insistence on speaking with her. The Applicant took the prosecutrix to Akhuj. It is further alleged that, while returning from Akhuj on Tembhorni–Kem Road, the Applicant halted the vehicle and embraced her. It is alleged that the Applicant placed his hand on her chest and when she resisted to the same, he further subjected her to physical assault.

4. Learned counsel for the Applicant submits that the Applicant and the victim were well acquainted with each other and were in a love relationship. It is contended that, when the victim's parents came to know about the said relationship, a false First Information Report (for short, "F.I.R.") came to be lodged against the Applicant. It is further contended that the incident in question is stated to have occurred on 24th November, 2025; however, the F.I.R. came to be lodged on 28th November, 2025.

5. The Learned A.P.P., assisted by the learned counsel for the prosecutrix, opposed the present Anticipatory Bail Application on the ground that the Applicant has allegedly outraged the modesty of a minor girl, thereby committing an act amounting to assault. It is submitted that, in consequence thereof, a complaint came to be lodged at the concerned Police Station. The Learned counsel for the prosecutrix submits that the Applicant is threatening the victim.

6. The victim is a seventeen-year-old girl. The absence of resistance on her part and her failure to raise any alarm lends support to the submission advanced by the learned counsel for the Applicant. Even during the period when the victim was taken to Akuj, there is no indication of any resistance from her side. In these circumstances, the possibility of a consensual relationship between the Applicant and the victim cannot be ruled out at this stage. It is further submitted that the offence alleged is punishable with imprisonment up to five years only.

7. Considering this aspect, as well as the fact that the Applicant himself asked the Investigating Officer by writing a letter that he is ready to co-operate with the investigation when he was protected by way of interim protection, a case is made out for confirmation of the interim order dated 22nd December, 2025.

8. As far as submission that the Applicant is threatening the victim is concerned; in my view, the Applicant can be put to stringent conditions. Hence, the following order:

- (i) The Application is allowed.
- (ii) The interim order dated 22.12.2025 is hereby confirmed.
- (iii) The Applicant shall appear before the Investigating Officer on every Saturday and Monday for two weeks and co-operate in the investigation.
- (iv) The Applicant shall not threaten the prosecution witnesses or tamper with the prosecution evidence.

(v) Appearance before the Investigating Officer shall be treated as custody within the meaning of Section 23 of the Bharatiya Sakshya Adhiniyam, 2023.

(vi) The Applicant shall not enter village Kem of Taluka Karmala where the prosecutrix resides.

(vii) Any breach of the order shall entail for cancellation of bail at the instance of the prosecution.

9. With this, the Application stands disposed of.

[M. W. CHANDWANI, J.]