

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

CRIMINAL BAIL APPLICATION NO. 192 OF 2026

Vishwajit Dattatray Lokhande
VERSUS
The State of Maharashtra And Ors.

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Mr. Subhash Jagtap a/w Mr. Abdul Quadir Auti, Mr. Saurabh P. Tandale and Mr. Rohit Thorat, Advocate for applicant.

Mr. Harshvardhan Patil, Appointed Through Legal Aid, Advocate for Respondent No.3.

Dr. A.A. Takalkar, APP for the Respondent Nos.1 and 2 – State.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 9th APRIL, 2026.

P. C. :

1. The applicant seeks regular bail in connection with C.R. No. 261 of 2025 dated 24.04.2025 registered with Pandharpur City Police Station, District Solapur for the offences punishable under Sections 64, 78, 115(2) and 351(2) of the *Bhartiya Nyaya Sanhita, 2023* and Sections 4, 8, 12 and 17 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the case. The allegations levelled

against the applicant are made under the parental pressure by the victim. The applicant and victim were in a consensual relationship and the victim on her own violation accompanied the applicant. Given that the investigation is complete and the charge-sheet is filed. Further detention of the applicant is not required. Hence, prayed to allow the application.

3. Per contra, learned APP and learned counsel for Respondent No.3 opposed the application submitting that the offence is serious in nature. The applicant is a married person and has committed sexual assault on the victim who is minor which disentitle the applicant to be admitted to bail. An apprehension is also expressed that if the applicant is enlarged on bail, there is every possibility of tampering prosecution witnesses. Hence, prayed to reject the application.

4. Having heard the submissions from the respective sides and upon perusal of the record including the charge-sheet *prima facie* it appears that the victim and the applicant initially came in contact in the year 2024. The incident of first sexual assault is alleged in the Month of November-2024. While the FIR is lodged in the Month of April-2025. In the interregnum, the victim *prima facie* seems to

have been in regular contact with the applicant and has accompanied the applicant. There *prima facie* appears no serious objection or alarm raised by the victim during the said period to her parents.

5. Further perusal of record *prima facie* indicates that it is only when the mother of the victim came to know about the said fact and took the victim in confidence, the entire episode came to be narrated. Prima facie the conduct of the victim indicates that she has attained the age of sufficient understanding and maturity. Thus, in the absence of any material to show serious threat or compulsion at the instance of applicant coupled with the silence maintained by the victim, the possibility of over implication cannot be ruled out.

6. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the charge-sheet is filed. The applicant is in custody since his arrest on 24.04.2025 i.e. for almost one year. Having regard to the number of witnesses, which the prosecution seeks to examine, the trial is unlikely to conclude within a reasonable period. As such further detention of the applicant may amount to pre-trial detention which is neither justified nor warranted.

7. 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. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Hence, the order :-

ORDER

I. The bail application is **allowed**.

II. Applicant - Vishwajit Dattatray Lokhande 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. 261 of 2025 dated 24.04.2025 registered with Pandharpur City Police Station, District Solapur for the offences punishable under Sections 64, 78, 115(2) and 351(2) of the *Bhartiya Nyaya Sanhita, 2023* and Sections 4, 8, 12 and 17 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 not enter the jurisdiction of Village Palashi, Tahasil Pandharpur, District Solapur till conclusion of trial except attending the dates before the concerned Court.

(c) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

(d) The applicants shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address, where they are likely to reside as well as their own phone numbers and that of their two near relatives.

(e) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to approach the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail.

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.

IV. Learned counsel appointed to Represent no.3 be paid professional fees as per Rules.

[SACHIN S. DESHMUKH, J.]