

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 331 OF 2026**

Sumit Popat Kolavale
VERSUS
The State Of Maharashtra And Ors.

Mr. Nikhil Pawar a/w Ms. Manasi Patil, Mr. Vishwajeet Mali,
Advocate for Petitioner
Dr. Ashvini A. Takalkar, APP for the Respondent-State.
Mr. Shankar Katkar, advocate for respondent no. 2

**CORAM : SACHIN S. DESHMUKH, J.
DATE : 7th MAY 2026.**

P. C. :

1. By this Application, the Applicant seeks regular bail in connection with C.R. No. 808/2025 registered with Akluj Police Station, District: Solapur for offences punishable under Sections 4 and 6 of Protection of Children from Sexual Offences Act, 2012 and under Sections 351(2) 64(2)(m) of Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submits that the applicant is falsely implicated in the crime. Due to a prior loan dispute between the applicant and the relative of the informant, the present false case is lodged. The victim is a tutored witness and the allegations are not supported by the medico legal report.

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3. It is further submitted by the learned counsel for the applicant that the victim and the applicant were known to each other for a considerable period and were in a consensual relationship. As such, the allegations levelled against the applicant are not made out. Hence, prayed to allow the application.

4. Learned APP has opposed the application submitting that the offence is serious in nature. The applicant has committed sexual assault against the minor victim. Hence, prayed to reject the application.

5. Having heard the submissions from both the sides and upon perusal of the record including the charge-sheet indicates that at the time of incident, the victim had almost reached the verge of majority i.e. 17 years 11 months while the applicant was having age of material match.

6. Further perusal of the statement of the victim indicates that the applicant and the victim were known to each other and the bare reading of the same indicates that the victim accompanied the applicant on her own accord. There is no element of force or coercion on the part of the applicant and it is only after being

apprehended by the police, the said statement came to be recorded.

7. Considering the totality of the circumstances and given the unfolding of the events, *prima facie*, there is a possibility of over implication.

8. Nevertheless the investigation is complete for all intent and purposes and charge-sheet is filed to that effect. Having regard to the number of witnesses which the prosecution proposes to examine, it is unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under trial prisoner, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

9. Hence, following order:

ORDER

1. The bail application is allowed.

10. Applicant, Sumit Popat Kolavale 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. 808/2025 registered with Akluj Police

Station, District: Solapur for offences punishable under Sections 4 and 6 of Protection of Children from Sexual Offences Act, 2012 and under Sections 351(2) 64(2)(m) of Bhartiya Nyaya Sanhita, 2023, 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 Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail to the Applicant.

11. 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.

[SACHIN S. DESHMUKH, J.]