

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

CRIMINAL BAIL APPLICATION NO. 339 OF 2026

Akshay Hari Tingre

VERSUS

The State of Maharashtra And Ors.

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Mr. Anand S. Patil a/w Mr. Soham V. Powar, Advocate for Applicant.

Mr. Anand S. Shalgaonkar, APP for the Respondent Nos. 1 & 3-State.

Ms. Vaishnavi Gaikwad, Advocate for Respondent No.2/Victim.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 6th MAY, 2026

P. C. :

1. Ms. Vaishnavi Gaikwad is appointed to represent Respondent No.2/victim.

2. The applicant seeks regular bail in connection with C.R. No. 427 of 2025 dated 17.12.2025 registered with Pandharpur Rural Police Station, District Solapur, for the offences punishable under Sections 64(2)(i), 64(2)(m), 64(2)(l) of the *Bhartiya Nyaya Sanhita, 2023*, Sections 4 and 10 of the Protection of Children from Sexual Offences Act, 2012.

3. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the case. The victim and the applicant

were married and had begotten a child out of the wedlock. As such, the relation was consensual in nature. Therefore, the offences levelled against the applicant are not made out. Hence, prayed to allow the application.

4. Per contra, learned APP and the learned counsel for the respondent/victim have opposed the application submitting that the offence is serious in nature. 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.

5. Having heard the submissions from both the sides and upon perusal of the record including charge-sheet *prima facie* indicates that the applicant and the victim have spend a considerable time together and there appears no material to indicate any objection raised by the victim on earlier occasion available to her. It is only after the doctor informed to the informant/police officer regarding the delivery of child by a minor girl, the offence has come to be registered.

6. In any case, the investigation is complete for all intent and purpose, resultantly, the charge-sheet is filed.

7. Having regard to the number witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. In this view of the matter, further incarceration of the applicant would be unjustified.

8. 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.

9. Hence, the order :-

ORDER

I. The bail application is allowed.

II. Applicant - Akshay Hari Tingre 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. 427 of 2025 dated 17.12.2025 registered with Pandharpur Rural Police Station, District Solapur, for the offences punishable under Sections 64(2)(i), 64(2)(m), 64(2)(l) of the *Bhartiya Nyaya Sanhita, 2023* , Sections 4 and 10 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 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 approach the concerned Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail.

(e) The applicant shall be at liberty to prefer an application before the trial Court seeking relaxation of the aforesaid conditions provided there are sufficient and reasonable grounds.

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 Respondent No.2/victim be paid professional fees as per Rules.

[SACHIN S. DESHMUKH, J.]