

**CRIMINAL BAIL APPLICATION NO.1180 OF 2024**

## ...Respondents

API - S.R. Padvi, Investigating Officer, Pant Nagar Police Station, Mumbai, present.

**DATED : 11<sup>th</sup> JUNE, 2026**

**P.C. :-**

. Present Application seeks release of the Applicant on bail in connection with C.R. No.118 of 2023, dated 9<sup>th</sup> March 2023, registered with Pant Nagar Police Station for the offences punishable under Sections 376, 376(2)(n), 376(2)(i), 376(3), 509, 323, 506 of the Indian Penal Code, 1860 and under Sections 4, 6, 8 and 12 of Protection of Children From Sexual Offences Act, 2012.

2) By an Order dated 10<sup>th</sup> November 2025, this Court had requested the trial Court to frame the charge and record the evidence of the victim. Accordingly, the testimony of the victim has been recorded. Mr. Mundargi, learned Counsel for the Applicant tendered a photocopy of the deposition of the victim. It is taken on record and marked as “X” for identification.

3) Heard Mr. Mundargi, learned Counsel for the Applicant, Mr. Ghag, learned APP for the Respondent No.1-State and Ms. Sharma, learned appointed Counsel for Respondent No.2.

4) The prosecution case is that on 31<sup>st</sup> December 2022 and 11<sup>th</sup> February

2023, at about 8:30 p.m., the Applicant forcibly took the victim girl at his house and committed forcibly sexual intercourse with her. Thereafter, the Applicant threatened her not to disclose the said incident. On 8<sup>th</sup> March 2023, the Applicant slapped the victim and abused her. Therefore, the victim, then aged 15 years, filed a report and accordingly, the said crime came to be registered. The Applicant came to be arrested on 9<sup>th</sup> March, 2023. On completion of the investigation, charge-sheet came to be filed.

5) Perusal of the deposition of the victim show that in the examination-in-chief, she has supported the prosecution case. However, in cross-examination, she has deposed that the people in her vicinity instigated her father and therefore, her father took her to the Police Station. She was very much frightened and therefore, she had stated false to the police on account of the pressure exerted by the society. She has falsely deposed that, on 31<sup>st</sup> December, 2022 and 11<sup>th</sup> March, 2023 the Applicant had committed forcibly sexual intercourse. The victim has also not fully supported the prosecution case as regard the incident dated 8<sup>th</sup> March 2023.

6) The victim and her mother are present before the Court. On their instructions, Ms. Sharma, learned Counsel for Respondent No.2 submitted that they do not want to prosecute the Applicant in the said case. This is conceded by the victim and her mother.

7) In view thereof, the Applicant is entitled for bail. Hence, following Order is passed:-

- (i) Bail Application is allowed.
- (ii) The Applicant – Yuvraj Shivaji Gurav shall be released on bail in connection with C.R. No.118 of 2023 dated 9<sup>th</sup> March, 2023 registered with Pant Nagar Police Station, for the offences punishable under Sections 376, 376(2)(n), 376(2)(i), 376(3), 509, 323, 506 of the I.P.C and under Sections 4, 6, 8 and 12 of the

POCSO Act, 2012, on his furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

- (iii) The Applicant shall regularly attend the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.
- (iv) The Applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witness to prevent them from deposing against him.
- (v) On being released from jail, the Applicant shall furnish his contact number and residential address to the Investigation Officer and shall keep him updated, in case there is any change.
- (vi) By way of abundant caution, it is clarified that the observations made hereinabove are confined for the purpose of determination to the entitlement for bail and they may not be construed as an expression of opinion on the guilt or otherwise of the Applicant and the trial Court shall not be influenced by any of the observations made hereinabove.

**(SHYAM C. CHANDAK, J.)**