

Rohit Ghuge

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.284 OF 2025

Manoj Pandurang Bansod

Versus

The State of Maharashtra

Mr. Sahil Tejawani & Mr. Aditya S. Navpute & Mr. Gaurav Tejawani, i/b AKT Legal Law Firm, Advocate for Applicant.

Mr. B. B. Kulkarni, APP for respondent-state.

Mr. Kunal Ranade a/w Ms. Urmila Pulekar, Advocate for Respondent No. 2.

Mr. Pralhad Jagtap, PSI, Loni-kalbhor Police Station, Pune City.

Mr. Manoj Pandurang Bansod.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th JUNE, 2026.

P.C. :

1. By this application, the applicant is challenging the order dated 25.10.2024 in Sessions Case No. 762/2021 passed by the Additional Sessions Judge, Pune, whereby the discharge application of the applicant is rejected.

2. It is prosecution's case that during the period of 2008 to 2020, the applicant sexually assaulted the first informant on the promise of marriage.

3. It is contention of learned counsel for the applicant that sexual relations between the applicant and the first informant were consensual. Both were married and major. There were physical relations between the

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applicant and the informant for 12 years. No case is made out against the applicant as alleged in the complaint. But, this fact is not considered by the learned Sessions Judge, and rejected the application, which is erroneous and requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No. 2 that applicant sexually assaulted the first informant by spiking her drink. The applicant recorded sexual acts with first informant in mobile and blackmailed her. To prove the innocence of the applicant, evidence is required. The Learned Sessions Judge has passed a well reasoned order, no interference is required in it and requested to reject the application.

5. I have heard all learned counsel. Perused the impugned order and documents, produced on record.

6. The applicants and first informant were in physical relationship for 12 years. No complaint was filed by the first informant during that period.

7. Allegations of sexual assault on the promise of marriage are levelled against the applicant. But in the present case, applicant and first informant both are married and major.

8. There is no evidence produced on record to show that applicant sexually assaulted the first informant on the promise of marriage as both

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are already married. They were in physical relationship for 12 years.

9. Considering these facts, no case is made out against the applicant as alleged. Continuing trial would amount to abuse of process of law and I pass following order.

ORDER

- (i) The Revision Application is allowed.
- (ii) The impugned order passed by the learned Additional Sessions Judge, Pune dated 25.10.2024 in Sessions Case No. 762 of 2021 is quashed and set aside.
- (iii) The Applicant is discharged from the offences punishable under Sections 376, 328 and 420 of India Penal Code.
- (iv) Application is allowed in the aforesaid terms.
- (v) All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)