

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 858 OF 2025

Navnath Dadabhau Sinalkar

... Applicant

Versus

State Of Maharashtra And Anr

... Respondents

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Mr.Mayuresh Ingale, for the Applicant.

Mr.S.S. Pednekar, APP for Respondent-State.

Ms.Aishwarya Sharma, for Respondent No.2 (Through VC).

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th JANUARY, 2026

P.C. :

. By this Application, Applicant is seeking regular bail in Crime No.273 of 2024 registered with Chakan Police Station, Pune for the offences punishable under Sections 376, 376(A-B), 376(2) and 376(2)(n) of the Indian Penal Code, 1860 ('IPC' for short) and Section 64, 65(2), 351(1) of the Bhartiya Naya Sanhita ('BNS' for short) and Section 4,6,8, 10 and 12 of the Prevention of Children From Sexual Offences Act, 2012 ('POCSO' for short).

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2. It is prosecution's case that, the Applicant is father of the victim. The First Informant is wife of the Applicant. There is marital dispute between the Applicant and First Informant. It is alleged that on 20th December 2023, 21st December 2023 and 17th April 2024 the Applicant sexually assaulted the victim, who was minor.

3. It is contention of learned counsel for the Applicant that, the Applicant has been falsely implicated in this case. There is dispute between first informant and Applicant. The victim was taken to the hospital of witness Dr.Sandeep Kawade on 20th April 2024 and he has opined that the victim had urine infection. There is delay in lodging the FIR. In the FIR, it is mentioned that, the victim was not taken to the hospital, but she was taken to the hospital, it shows the contradictory statement of the First Informant. The learned counsel further submitted that the Applicant is behind bar for more than 20 months. There is no progress in the trial. Hence, requested to allow the Application.

4. It is contention of learned APP along with learned counsel for the Respondent No.2 that, the Applicant sexually assaulted his daughter. She was minor aged about 9 years old. The statement of the victim is recorded under Section 164 of the Cr.P.C. In the said statement she has stated about the act done by the Applicant with her. The medical report also

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supports the prosecution's case. Applicant is father of the victim, if he released on bail, he may abscond or threaten prosecution witnesses and victim. Hence, requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. It appears from FIR that victim stated about the incident to the First Informant on 19th April 2024 and FIR is lodged on 22nd April 2024. The victim was taken to the hospital of witness Dr.Sandeep Kawade. In his statement given to the Police, he has stated that there was possibility of urine infection in the private part of the victim. There is marital dispute between the Applicant and First Informant. To prove the allegations against the Applicant, trial is required. The Applicant is behind bar for more than 20 months, yet charge has not been framed.

7. Considering these facts, I pass following order.

ORDER

(i) The Applicant-Navnath Dadabhau Sinalkar be released on bail in Crime No.273 of 2024 registered with Chakan Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

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- (ii) The Applicant shall not enter the jurisdiction of the Chakan Police Station till recording of evidence of the First Informant and victim is recorded.
- (iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)