Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1059 OF 2025

Sunita Santosh Bendre ... Applicant/s

Versus

The State of Maharashtra and anr. ... Respondent/s

Mr. Abhishek R. Avachat along with Mr. Siddhant Deshpande, Advocate for the Applicant.
Mr. M. G.Patil, APP for Respondent No.1-State.
Ms. Nishi Singhvi, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.
DATE : 16th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 427 of 2024 registered with Lonikand Police Station, District Pune, for the offences punishable under Sections 354, 376, 376(2)(n), 323 and 506 of the Indian Penal Code 1860 and Section 3(b), 3(c), 6, 8, 14(2), 17, 21(1) of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that the applicant is the mother of the victim. It is alleged that the applicant had an affair with co-accused-Govind and he used to come to the home of the applicant. One day, he inserted his finger into the private parts of the first informant and outraged her modesty. The first informant told the act done by the co-accused to the

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applicant, but the applicant threatened her not to disclose the said act to anyone.

3. It is contention of learned counsel for the applicant that there is a delay in lodging the complaint, and the allegations against the applicant are of abetment. The applicant is a lady. She is behind bars for more than one year and eight 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 respondent No.2 that the co-accused sexually assaulted the first informant though she was a minor, and the co-accused was aware of her age. The first informant disclosed the act done by the co-accused to the applicant, but she did not take any action against the co-accused. The applicant had an affair with co-accused Govind, and to shield him, intentionally she did not take action against him. It shows that she abetted the crime done by co-accused Govind. If the applicant is released on bail, she may threaten the first informant and prosecution witnesses, and requested to reject the application.

5. I have heard all learned counsel and perused the charge sheet and the documents produced on record. The allegation against the applicant is of abetment. To prove it, trial is required. The applicant is a lady. She has been behind bars for more than one year and eight months.

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She has no antecedents. Considering these facts, I pass the following order:

ORDER

(i) The applicant be enlarged on bail in Crime No. 427 of 2024 registered with Lonikand Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The applicant shall attend the concerned police station as and when required.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)