

Shubhada S Kadam

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

BAIL APPLICATION NO. 3118 of 2025

Vikas Naval Pawar

... Applicant/s

Versus

The State of Maharashtra and anr.

... Respondent/s

Mr. Shailesh Kharat, Advocate for the Applicant/s.

Mr. M. G. Patil, APP for Respondent No.1-State.

Mr. Parh Bhanushali i/b. Mr. Madhusudan Pareek, Advocate for
Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 237 of 2024 registered with Vadgaon Nimbalkar Police Station, District Pune for the offences punishable under Sections 363 of the Indian Penal Code 1860, Sections 64(2)(m), 87 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 (for short "POCSO").

2. It is prosecution's case that the applicant kidnapped minor daughter of the first informant and sexually assaulted her. Due to the said sexual assault, she became pregnant and delivered a child. At the time of the incident, the victim was around 15 years and 10 months old.

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3. It is contention of learned counsel for the applicant that there was love affair between the applicant and victim. The victim herself had gone with the applicant, they stayed together and got married. The applicant is behind bar for more than 1 year. He has no criminal antecedents. It may take time to conclude the trial and, hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No. 2 that though the applicant was aware about the age of the victim, he kidnapped her and sexually assaulted her. If the applicant is released on bail, he may threaten the victim and prosecution witnesses and, hence, requested to reject the application.

5. I have heard both learned counsel, perused the charge sheet and documents produced on record. At the time of incident, the victim was more than 15 years and 10 months old. She stayed with the applicant for couple of days but she did not make any hue and cry. The applicant has no criminal antecedents and he is behind bar for more than 1 year. There is no progress in the trial. It may take time to conclude the trial. Considering these facts, I pass the following order :

ORDER

- (i) The applicant be enlarged on bail in in Crime No. 237 of 2024 registered with Vadgaon Nimbalkar Police Station, District

Shubhada S Kadam

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 victim, 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.)