

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 3324 OF 2025

Chetan Vasanttrao Kotmale

... Applicant

Versus

State Of Maharashtra

... Respondent

Through Loni Kalbhor Police Station

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Ms.Saloni Sarguru i/b Mr.Sachin Salunkhe, for the Applicant.

Mr.P.P. Jadhav, APP for Respondent-State.

Mr.Arjun Lingalod, for Respondent No.2.

Mr.Ankush Borate, API, Lonikalbhor Police Station, Pune City.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd FEBRUARY 2026

P.C. :

. By this Application, the Applicant is seeking regular bail in Crime No.280 of 2021 registered with Loni Kalbhor Police Station, Pune, for the offences punishable under Sections 354, 354(A) and 376(3) of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4,5(1), 6,8 and 10 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution's case that the Applicant sexually assaulted minor daughter of the First Informant and impregnated her.

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3. It is contention of learned counsel for the Applicant that there was love affair between the Applicant and victim. There is delay in lodging the complaint. The complaint was lodged when it came to know that victim was pregnant. The Applicant is behind bars for more than four years and nine months. The Applicant has no antecedents. There is no progress in trial, and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the victim was fifteen years and eleven months old. The Applicant sexually assaulted her several times. The Applicant is the cousin of Victim's neighbour. The Applicant is biological father of the Victim's child. The DNA report of the child matches with the Applicant. The Applicant has antecedents. If the Applicant released on bail, he may abscond or threaten Victim, First Informant and prosecution witnesses, and requested to reject the Application.

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

6. There is delay in lodging the FIR. At the time of the incident, the victim was more than fifteen years and eleven months old. The Applicant is behind bars for more than four years and nine months. The Applicant has no antecedents. There is no progress in trial. It may take time

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to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Chetan Vasantao Kotmale be released on bail in Crime No.280 of 2021 registered with Loni Kalbhor Police Station, Pune, , on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)