

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3352 OF 2025

Abdul Majjid Khan DeshmukhApplicant

Versus

The State of Maharashtra and anr.Respondents

Mr. Gaurav Parkar along with Mr. Shantanu Kadam, Advocate for Applicant.

Mr. Prashant P. Jadhav, APP for Respondent No.1-State.

Mr. Omkar Tambe, Advocate for Respondent No.2 (Appointed by Court).

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 55 of 2025 registered with Ulwe Police Station, District Raigad, for the offences punishable under Sections 64(1), 75, 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that in 4th January 2025, the applicant tried to sexually assault the minor victim who was his stepdaughter.

3. It is contention of learned counsel for the applicant that there was a marital dispute between the first informant and applicant. The applicant had filed Habeas Corpus petition before the Division Bench of this Court, and the petition was allowed, and the first informant was

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directed to produce the victim before the Court. Thereafter, the matter was sent for mediation and thereafter present complaint is filed against the applicant. There is delay of eight months in lodging the complaint. The applicant is behind bars for more than one year, 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 applicant is the stepfather of the minor victim. He threatened the victim and tried to sexually assault her. The victim has stated about the act done by the applicant. The medical report supports the prosecution case. If the applicant is released on bail, he may threaten the victim and prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. The age of the victim was more than 15 years. There is delay of more than eight months in lodging the complaint. The applicant is behind bars for more than one year. There is no progress in the trial. Considering these facts I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 55 of 2025 registered with Ulwe Police Station, District Raigad, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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- (ii) The applicant shall not enter in the jurisdiction of Ulwe police station and shall not contact the victim, except by following legal procedure.
- (iii) The applicant shall attend the concerned police station as and when required.
- (iv) 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. As Mr. Omkar Tambe, learned counsel, is appointed by this Court to represent respondent No. 2, legal fees shall be paid to him as per Rules.

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

(SHIVKUMAR DIGE, J.)