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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3544 OF 2025

Somnath Vasant Balgude

... Applicant

Versus

The State Of Maharashtra & Anr.

... Respondents

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Mr.Chaityanya M. Bagul i/b Mr.Vikram Shinde, for the Applicant.

Mr.Arfa Sait, APP for Respondent-State.

Mr.Jayant J. Satghar, for Respondent No.2, Through Legal Aid.

Mr.Sunil A. Powar, SPI, Kamshet Police Station, Pune Rural.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th JANUARY, 2026

P.C.:

. By this Application, Applicant is seeking regular bail in Crime No.233 of 2024 registered with Kamshet Police Station, Pune, for the offences punishable under Sections 64, 123, 308(2)(3), 351(2)(3), 352 of the Bhartiya Nyaya Sahinta ('BNS' for short) and Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS' for short).

N.S.Kamble

2. It is prosecution's case that the Applicant sexually assaulted the First Informant on several occasions by threatening her that he will make the nude photos and sexual act committed between Applicant and First Informant viral. It is alleged that the Applicant forced the First Informant to pay an amount of Rs.1,50,000/-. Accordingly she paid the said amount.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bar for more than one year and two months. The investigation is completed. The charge-sheet has been filed. Yet charge has not framed. It may take time to conclude the trial. The physical relationship between the Applicant and First Informant was consensual. Hence, requested to allow the Application.

4. It is contention of learned APP, alongwith learned counsel for the Respondent No.2 that the Applicant has two antecedents. He sexually assaulted the First Informant by threatening her. He forced her to pay money. If the Applicant released on bail, he may abscond or may threaten prosecution witnesses. Hence, requested to reject the Application.

5. I have heard all learned counsel's. Perused charge-sheet and

N.S.Kamble

documents produced on record.

6. The alleged sexual assault period is from 2014 to 2024. There is delay in lodging the FIR. The learned counsel for the Applicant, on instructions submits that the Applicant is ready to deposit Rs.25,000/- before the Trial Court without admitting his guilt. The Applicant has no objection for withdrawal of the said amount by the First Informant. Though the Applicant is behind bar for more than one year yet charge is not framed. It may take time conclude the trial.
7. Considering these facts, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicant-Somnath Vasant Balgude, be released on bail in Crime No.233 of 2024 registered with Kamshet Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (iii) The Applicant shall deposit Rs.25,000/- before the Sessions Court within two weeks after release from jail.

N.S.Kamble

(iv) The First Informant can file Application for withdrawal of the said amount.

(v) The Applicant shall not object for withdrawal of the amount. If Applicant objects for withdrawal, his bail shall stand cancelled.

(vi) The Trial Court is directed to commit the case to the Sessions Court, if not committed and the amount be deposited before the Sessions Court.

(SHIVKUMAR DIGE, J.)