

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3649 OF 2025

Umesh Shivaji Rajguru

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

Ms. Seema S. Dighe i/b. Priyal G. Sarda, Advocate for the Applicant.

Mr. S.S.Pednekar, APP for Respondent-State.

Adv. Tahera R. Qureshi, Advocate for Respondent No.2.

IO – Laxman Akamwad, PSI – Sangvi Police Station present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th JANUARY, 2026.

P.C. :

1. By this Application, the Applicant is seeking regular bail in C.R.No. 441 of 2024 registered with Sangvi Police Station, Pune for the offences punishable under Sections 376(3), 376(2), 506 of Indian Penal Code, 1860 (for short “IPC”) under Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 (for short

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“POCSO Act”).

2. It is prosecution’s case that on 28.03.2024, the Applicant sexually assaulted minor daughter of first informant.

3. It is contention of learned counsel for the Applicant that there is delay of around seven months in lodging the complaint. The Applicant is behind bar for more than one year and two months. There is no specific reason given for the delay in lodging the FIR. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that at the time of incident, victim was 13 years old. The Applicant sexually assaulted her. Due to fear, the victim could not informed her parents about the act done by the Applicant. If Applicant released on bail, he may threaten the victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all learned counsel. Perused FIR and documents produced on record. There is delay of around seven months in lodging the FIR. The Applicant is behind bar for more

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than one year and two months. There is no progress in the trial. Considering these facts, I pass following order.

ORDER

- i. The Applicant be released on bail in C.R.No. 441 of 2024 registered with Sangvi Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing 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 contact the victim and prosecution witnesses.
 - iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
 - v. The Applicant shall not enter the area where victim stays.
6. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

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

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

Digitally signed
by SONALI
SATISH KILAJE
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