

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3748 OF 2025

Neeraj Ajaykumar Gupta

... Applicant

versus

State Of Maharashtra and Anr.

... Respondents

Mr. Shailesh Kharat (Through VC) a/w. Mr. Onkar Chaudhari, Advocate for Applicant.

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

Ms. Rajdeepa Madhavi, Advocate for Respondent No.2.

API – Namade, Parvati Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 24th APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 25 of 2025 registered with Parvati Police Station, Pune, for the offences punishable under Sections 64(1), 70(1) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Sections 4, 6, 8 and 12 of Protection of children from Sexual Offences Act, 2012 (for short “POCSO Act”).

2. It is prosecution’s case that the applicant developed friendship with the first informant and sexually assaulted her against her will by threatening to make her obscene pictures and videos viral. It is alleged that thereafter, applicant compelled the victim to have sexual relations

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with the co-accused as well.

3. It is contention of learned counsel for the applicant that at the time of incident, the victim was around 17 years old and the physical relationship between her and the applicant were consensual. After the incident, the first informant was in touch with the applicant. The applicant is 20 years old. He is a student. If he remains behind the bars, his educational life will be ruined. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for the respondent No.2 that the applicant repeatedly sexually assaulted the first informant and thereafter, compelled the victim to have sexual relation with the co-accused. At the time of incident, victim was 18 years old. If the applicant is released on bail, he may abscond or threaten the victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused charge-sheet and documents produced on record. At the time of incident, victim was more than 17 years old and it appears that there was affair between the applicant and victim. After the alleged incident, victim was in contact with the applicant. The applicant is a student. If he remains behind bars, his educational life will be ruined. Considering these facts, I pass following order.

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ORDER

- i. The applicant be enlarged on bail in Crime No. 25 of 2025 registered with Parvati 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 tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
 - iv. The applicant shall not contact the first informant and prosecution witnesses.
6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.
7. 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.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)