

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 4138 OF 2025

Satish Naru Vadu	...Applicant
<i>Versus</i>	
State Of Maharashtra And Anr.	...Respondents

Mr. P. M. Arjunwadkar a/w Mr. Shinde a/w Mr. Jui Gharat a/w
Mr. P. S. Hande, for the Applicant
Mr. S. S. Ghag, APP, for the Respondent - State.
Ms. Shaba N. Khan, Appointed through Legal Aid, for the
Respondent No.2.

CORAM: R. M. JOSHI, J.

DATED: 26th MARCH, 2026

PC:-

1. The Applicant seeks enlargement on bail in connection with Crime No. 58 of 2025 registered with Dahanu Police Station, Dist. Palghar, for the offences punishable under Sections 64, 64(2), 64(2)(1), 64(2)(m) of the Bhartiya Nyaya Sanhita, 2023 (For short "BNS Act") and under Section 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (For short "POCSO Act").

2. Learned Counsel for the Applicant submits that this is a case of love relationship between the Applicant and Victim as it appears from the First Information Report. It is his further submission that this is not the case wherein any force, compulsion, etc. on the part of the Applicant in order to have any physical relation with the victim. To support his submission

that in such cases the Applicant/Accused could be enlarged on bail. He places reliance on the following Judgments/Orders in the case of :-

- [1] Sunil Mahadev Patil Vs. The State of Maharashtra in Bail Application No. 1036 of 2015, dated 3rd August, 2015.
- [2] Mohammed Ajaan Khan Vs. The State of Maharashtra & Anr. in Bail Application No. 4621 of 2024, dated 13th February, 2055.
- [3] Imran Iqbal Shaikh Vs. The State of Maharashtra & Anr. in Bail Application No. 997 of 2022, dated 26th April, 2023.

3. It is his submission that except the bare statement of victim, there is no other evidence in order to show the involvement of the Applicant in this crime.

4. Learned Counsel for the Respondent No.2 files Affidavit of the father of the victim recording no objection for the reason that the family members of the accused are ready and willing to accept victim as their daughter-in-law after she attains age of majority.

5. Learned APP opposes the application by citing the statement of the victim so also her age and finally to submit that the consent of the victim who is minor is inconsequential for physical relationship.

6. Learned Counsel for the Applicant seeks instructions from the Applicant with regard to the proposed marriage of the Applicant with victim.

7. At the request of the Learned Counsel for the Applicant, stand over to **27th March 2026**.

(R. M. JOSHI, J.)

VDMokal/-