

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4502 OF 2025

Arif Mohammed Balwar

... Applicant

Versus

The State of Maharashtra

... Respondent

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date:
2026.02.06
11:04:03 +0530

Mr.Shubhankar Kulkarni a/w Mr.Lokesh Zanwar and Mr.Tanmay Pawar,
for the Applicant.

Mr.B.B. Kulkarni, APP for Respondent-State.

Mr.Sagar Tambe, for Respondent No.2 (Through V.C.).

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th FEBRUARY 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No. 291 of 2024 registered with Chandan Nagar Police Station, Pune, for the offences punishable under Sections 363, 376 and 376(2)(n) of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4,6,8 and 12 the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution's case that the Applicant kidnapped minor daughter of the First Informant and sexually assaulted her on various occasions.

3. It is contention of learned counsel for the Applicant that there was love affair between the Applicant and victim. At the time of the

N.S.Kamble

incident, the victim was 17 years old. The victim travelled with the Applicant to several places, but she did not make hue and cry. The Applicant is behind bars for more than one year. There is no progress in trial, and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant was aware about the age of the victim, in spite of that, he kidnapped her and took her to various palaces and sexually assaulted her. If the Applicant released on bail, he may abscond or threaten victim and prosecution witnesses, and requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. At the time of the incident, victim was more than 17 years old. It appears that, she travelled with the Applicant to several places, but did not make any hue and cry. The Applicant is behind bars for more than one year. There is no progress in trial.

7. Considering these facts, I pass following order.

ORDER

(i) The Applicant-Arif Mohammed Balwar be released on bail in Crime No. 291 of 2024 registered with Chandan Nagar Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall not enter in the jurisdiction of Chandan Nagar Police station till recording of evidence of Victim, except attending Court dates.

N.S.Kamble

- (iii) The Applicant shall not contact the victim and shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (v) The Applicant shall attend the concerned Police Station as and when required.
- (vi) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)