

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 4819 OF 2025

Shubham Pandharinath Sable

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

Mr.Anandmaya Dhorde, for the Applicant.
Mr.P.P. Jadhav, APP for Respondent-State.
Mr.Nikhil G. Hire, for Respondent No.2.
Mr.G.M. Punekar, PSI, Daund Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th FEBRUARY 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.88 of 2025 registered with Daund Police Station, Pune, for the offences punishable under Sections 376(2)(f) and 376(2)(n) of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4,6,8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution's case that the Applicant sexually assaulted the victim who was minor and impregnated her and she has delivered baby girl.

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3. It is contention of learned counsel for the Applicant that there is delay in lodging the complaint. The DNA of the baby girl and DNA of the Applicant does not match. One of the accused is absconding. The Applicant is student. If he remains behind bars, his education may be severally affected. The Applicant is behind bars for more than one year. The Applicant has no antecedents. 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 is cousin of the victim. He has sexually assaulted her and impregnated her. The statement of victim is recorded under Section 164 of the Cr.P.C., wherein she has stated about sexual assault done by the Applicant. If the Applicant released on bail, he may abscond or threaten victim, First Informant 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. There is delay in lodging the complaint. The DNA of the baby girl does not match with the Applicant. The Applicant is behind bars for more than one year. The Applicant is student. If he remained behind bars, his education may be severally affected . There is no progress in trial. It

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may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No.88 of 2025 registered with Daund 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 contact the victim and prosecution witness.
- (iii) The Applicant 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.)