

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4871 OF 2025

Rudra Arun Waghaye

....Applicant

versus

The State of Maharashtra and anr.

....Respondent

Mr. Vipul Dushing along with Mr. Tanmay Kate, Mr. Ashraf Kazi and Mr. Nitin Bhareao, Advocate for Applicant.
Ms. Ranjana D. Humane, APP for Respondent-State. APP for Respondent-No.1-State.
Ms. Rajdeepa Madhvi and Ms. Srushti Shipurkar, Advocate for Respondent No.2.
PSI-P. H. Parkhe, Shirgaon-Parandvadi Police Station, Pimpri Chinchwad, present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 20th FEBRUARY, 2026.

P.C. :

1. Learned counsel for the applicant seeks leave to amend the name of the applicant. Leave granted. Necessary amendment be carried out forthwith.
2. By this application, the applicant is seeking regular bail in Crime No. 171 of 2024 registered with Shirgaon Parandwadi Police Station, District Pune, for the offences punishable under Sections 376, 376 (2)(n) and 506 of the Indian Penal Code 1860 and Sections 4, 6 and 12 of Protection of Children from Sexual Offences Act, 2012.

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3. It is prosecution's case that the applicant during period between October 2023 to 1st April 2024 sexually assaulted the first informant and impregnated her. It is alleged that at the time of the incident, the victim was around 16 year old.

4. It is contention of learned counsel for the applicant that there was love between the applicant and first informant. There is delay in lodging the complaint as complaint was lodged when the victim came to know about her pregnancy. At the time of the incident, the applicant was 20 year old. He is behind bars for more than 1 year and 7 months. The applicant is a student. If he remains behind bars, his academic career will be ruined and requested to allow the application.

5. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant sexually assaulted the victim by threatening her. Due to the said sexual assault, the victim got impregnated. The DNA of the fetus matches the DNA of the applicant. If the applicant is released on bail, he may threaten the prosecution witnesses and requested to reject the application.

6. I have heard all learned counsel, perused charge sheet and documents produced on record. There is delay in lodging the complaint. The complaint was lodged when the victim came to know about her pregnancy. At the time of the incident, the victim was 16 year old and

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applicant was 20 year old. The applicant has no antecedents. He is behind bars for more than 1 year and 7 months. The applicant is a student. If he remains behind bars, his academic career will be ruined. Considering these fact, I pass following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 171 of 2024 registered with Shirgaon Parandwadi Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with 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.

The application is allowed in the aforesaid terms and is accordingly 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.)