

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1004 OF 2026

Kunal Laxman Pethekar

....Applicant

versus

The State of Maharashtra and anr.

....Respondents

Mr. Abhinav Dubey along with Mr. Mridul Das, Ms. Rajlaxmi Dubey and Ms. Jyoti Pujari, Advocate for Applicant.

Ms. Ranjana D. Humane, APP for Respondent No.1-State.

Ms. Komal Sinha, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 678 of 2024 registered with Panvel City Police Station, District Raigad, for the offences punishable under Sections 64, 75, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that on 21st September 2024 and 5th October 2024, the applicant sexually assaulted the first informant by threatening her.

3. It is contention of learned counsel for the applicant that there was a love affair between the applicant and the first informant, who was

SHUBHADA
SHANKAR
KADAM

Digitally signed by
SHUBHADA
SHANKAR KADAM
Date: 2026.04.27
15:07:44 +0530

Shubhada S Kadam

more than 16 years old. There is a delay in lodging the complaint. The applicant is behind bars for more than 17 months. It may take time to conclude the trial, hence, requested to allow the application.

4. It is contention of learned APP, along with learned counsel for respondent No.2, that there was no love affair between the applicant and the victim. The applicant, by threatening the victim, sexually assaulted her. The medical report supports the prosecution's case. If the applicant is released on bail, he may threaten the victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both counsel, perused charge sheet and documents produced on record. At the time of the incident, the victim was more than 16 years old. There is a delay in lodging the complaint. The applicant has no antecedents. He is behind bars for more than 17 months. It may take time to conclude the trial. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 678 of 2024 registered with Panvel City Police Station, District Raigad, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

Shubhada S Kadam

(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, the victim or the prosecution witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. 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.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)