

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.992 OF 2025

Maroti s/o Namdeo Harne

..vs..

State of Maharashtra and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Anjana M. Raut, Advocate for the applicant.
Shri V.A. Thakre, APP for the State.
Shri Abhishek Zade, Advocate for non-applicant no.2.

CORAM: M.M. NERLIKAR, J.

DATE : 08/01/2026.

The present application is filed by the applicant under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime No.213 of 2025 registered with the Pusad Rural Police Station, District Yavatmal for the offence punishable under Sections 64(1), 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. The sum and substance of the allegations are that the applicant though married person has committed rape on the victim on 06.08.2024 by threatening her. It appears from the allegations that even thereafter on 28.03.2025, the applicant has taken the victim to Pune from Pusad and again on 02.04.2025, they were returned back via Nanded to Pusad.

3. I have heard the learned Counsel for the applicant, learned APP and learned Counsel for non-applicant no.2.

4. At the outset, learned Counsel for the applicant and non-applicant no.2 submit that the matter is settled

between the parties. Non-applicant no.2 has no objection if the bail is granted to the applicant. However, the learned APP vehemently opposes the application on the ground that the applicant has induced the victim and committed the offence. It appears from the record, that the victim is of 20 years of age. It further appears that the incident has occurred due to love affair as could be gathered that after the first incident, from 28.03.2025 till 02.04.2025 the couple had been to Pune and Nanded. They returned back on 02.04.2025. All these factors goes to show that there is consensual relationship. Further the fact remains that the matter is already settled between the parties.

5. Considering this fact, I am of the considered opinion that the applicant is required to be released on bail. Hence, the following order :

- (a) The application is allowed.
- (b) The applicant/accused Maroti s/o Namdeo Harne in connection with Crime No.213 of 2025 registered with the Pusad Rural Police Station, District Yavatmal for the offence punishable under Sections 64(1), 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 be released on bail on furnishing P.R. bond of Rs.25,000/- with one to two solvent sureties in the like amount.
- (c) The applicant/accused shall co-operate with the trial and if the applicant fails to appear on two occasion before the Trial Court, then the State is at liberty to file an application for cancellation of bail.

- (d) The applicant/accused shall not directly or indirectly made any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (e) The applicant shall not engage in any similar type of offence again.

(M.M. NERLIKAR, J.)

Trupti