



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 1240 OF 2025.

Sachin Sadwali Sonari

-VERSUS-

The State of Maharashtra and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri V.S. Sambre, Advocate for the Applicant.

Shri V.A. Thakre, A.P.P. for Non-applicant No.1/State.

Ms N. Chaubey, Advocate (Appointed) for Non-applicant No.2.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 09, 2026.

Heard learned Counsel for the parties.

2. The present application is filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime No.380/2025 registered with Gadchiroli Police Station, for the offence punishable under Sections 115[2], 351[2], 75[1][ii] and 78[2] of the Bhartiya Nyaya Sanhita, 2023.(BNS) Charge sheet in the matter is filed, and apart from aforesaid Sections, the applicant is also charged with Sections 64[2][i], 64[2][m],

69, 352 of the BNS, along with Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 (POCSO)

3. The informant has lodged the report alleging that she was in love with the applicant for past three years, however, since their parents did not grant permission, they could not perform marriage. Thereafter she married one Anil Jadi on 19.03.2025. It is further alleged that on 12.05.2025 at about 5 p.m. she went to market to purchase some items, where she met the applicant, who asked her to accompany him to a room, otherwise he would make their photographs viral. On 14.05.2025 between 12.30 to 1 p.m., the applicant assaulted the informant at her room. It is further alleged that he used to follow the informant and ask for physical relations even though she was married. The applicant again threatened the informant on 25.05.2025, thereafter she informed her husband about the incident, and accordingly the report was lodged. During the course of investigation the applicant was arrested on 13.06.2025, and since then he is in jail.

4. It is the case of the applicant that he was having a

love affair with the victim/informant, who later got married to some other person. It was submitted that the offence was registered after the marriage of the victim with other person took place when she had attained the age of majority. The informant herself has admitted that they were in a love affair for 3 years. He further submits that investigation is incomplete and charge sheet is filed.

5. The learned A.P.P. and the learned Counsel representing the victim vehemently opposed the application by stating that when the offence was committed, the victim was minor, aged about 17 years and 9 months. However, the conduct of the applicant is not good, which can be gathered from the first information report, which demonstrates that even after the victim got marriage with another person, the applicant used to threaten the victim and tried to contact her. The offence is serious one. The said conduct of the applicant would have repercussions on the marital life of the victim, and therefore, both the learned Counsel submitted that the applicant does not deserve to be released on bail.

6. Considering the above facts and circumstances, and

after hearing the learned Counsel for the parties, it appears that the first information report was registered by the informant admittedly after attaining the majority, that too after getting married with another person. From the contents of first information report, it appears that the applicant has even after her marriage contacted the victim and threatened her, and an offence of rape is alleged against him. It is also not in dispute that the applicant and the victim initially were having love affair, however, later on the victim got married to some other person. Admittedly it was expected from the applicant that after the marriage of victim, he ought not to have contacted her. Considering the above facts and circumstances, and considering the fact that the applicant is of 24 years of age, investigation in the matter is completed, and charge sheet is also filed, so also the applicant is languishing in jail since 13.06.2025, I am inclined to grant bail to the applicant. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.

- (ii) The applicant /accused Sachin Sadwali Sonari be released on regular bail in connection with Crime No.380/2025 registered with Gadchiroli Police Station, for the offence punishable under Sections 115[2], 351[2], 75[1][ii] and 78[2], 64[2][i], 64[2][m], 69, 352 of the Bhartiya Nyaya Sanhita, 2023(BNS), and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 (POCSO) on his furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (iii) The accused shall not enter within the territorial jurisdiction where the victim is residing till the completion of the trial.
- (iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (v) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State or the victim is at liberty to ask for cancellation of bail.

- (vii) Fees of the appointed Counsel be determined and paid as per Rules.

JUDGE