



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

CRIMINAL APPLICATION [B.A.] NO. 1377 OF 2025

Nakul S/o Ashok Hedau

-- VERSUS --

State of Maharashtra and Another

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

Court's or Judge's orders.

Mr. P.J. Mehta, Advocate for the Applicant.

Ms. P.C. Bawankule, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 16, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.270/2025 for the offence punishable under Sections 78(2) and 79 of the Bharatiya Nyaya Sanhita, 2023, (BNS), and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, (POCSO), registered with Police Station Shantinagar, District Nagpur.

3. The First Information Report was lodged on 08/11/2025 by the mother of the victim alleging that the applicant who is aged 36 years used to reside as a tenant in their house. In June, 2025, the informant found a mobile phone with her daughter. When she enquired how she got a mobile phone, she

was informed by her daughter that the phone was given by the applicant and he used to send romantic messages to her daughter. The informant and her husband gave an understanding to the applicant to stay away from their daughter as she is a minor. He was also asked to leave the tenanted premises. However, even after that he used to contact the victim on the mobile phone which was given by him. On 07/11/2025, around 02:00 p.m., the applicant came near their house and started making filthy gestures towards the victim. Even at that time, victim's father asked him to stay away from her. As there was no change in the behavior of the applicant, based on the aforesaid allegations, F.I.R. came to be lodged. The aforesaid report discloses the allegations of stalking, sexual assault, etc.

4. The learned counsel appearing for the applicant submits that though the victim is minor, however, she is more than 17 years. She is of understandable age. He further submits that the victim was insisting the applicant to meet her, not only that the victim was also in love with the applicant. He further submits that the victim was in constant touch with the applicant, however, this fact was not liked by her parents, and therefore, by making false allegations, the F.I.R. came to be registered.

5. On the other hand, the learned A.P.P. vehemently objected the bail application on the ground that, admittedly, the victim is minor. She is below 18 years of age. She further submits that the applicant by providing mobile to the victim has tried to take advantage and used to talk to her. The applicant was constantly following her. Not only that he was also sending romantic messages to her. She further submits that the applicant has harassed her which could be gathered from the FIR as he was consistently following her at college and at her tuition, therefore, prayed to reject the application.

6. I have perused the First Information Report as well as the statement of the victim, who consistently contacted the present applicant. In fact, the statement of the victim further shows that she is in love with the present applicant. So far as the allegations levelled against the applicant by the mother is concerned, it is falsified, in view of the fact that the victim does not support those allegations. In this view of the matter, I am inclined to grant bail.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only. Hence, the following order:-

ORDER

(i) The Criminal Application is **allowed;**

(ii) The applicant/accused (Nakul s/o Ashok Hedau) be released on regular bail in connection with Crime No.270/2025 registered with Shantinagar Police Station, District Nagpur, for the offence punishable under Sections 78(2) and 79 of the Bharatiya Nyaya Sanhita, 2023, (BNS), and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, (POCSO), on his furnishing a PR. bond of Rs.25,000/- with one surety in the like amount;

(iii) 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;

(iv) 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;

(v) 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 to ask for cancellation of bail.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN