



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

CRIMINAL APPLICATION (ABA) NO. 910 OF 2025

Rushikesh S/o. Bhausahab Thombre

Vs.

State of Maharashtra and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. J. Salunke, Advocate for applicant (through VC).
Ms. Harshada Prabhu, APP for non-applicant no. 1/State.
Ms. Radha Mishra, Advocate for non-applicant no. 2

CORAM :- M. W. CHANDWANI, J.

DATED :- 03.02.2026

Heard the learned counsel for the applicant as well as the learned APP along with learned counsel for non-applicant no. 2. Perused the case-diary.

2. The father of the victim lodged a missing complaint of his daughter/victim with Police Station Civil Lines, Akola and expressed his suspicion on the applicant since the victim used to speak to the applicant on her mobile phone. The victim was traced at Sambhajinagar on 15.07.2025 and was brought to Police Station, Akola. When her statement was recorded, it was revealed that the applicant had sexual intercourse with the victim and therefore, the provisions of Protection of Children from Sexual Offences Act, 2012 were incorporated in the First Information Report (FIR) which was initially lodged at the instance of the father of the victim for the offences

under Section 137(2) of the Bhartiya Nyaya Sanhita, 2023.

3. The contention of the learned counsel for the applicant is that the applicant and the victim were having a love affair and therefore, both of them decided to elope. According to the learned counsel for the applicant, the applicant has attended the concerned Police Station under the dictum of this Court and co-operated in the investigation. The mobile phone of the applicant has already been seized.

4. It is palpable from the FIR as well as the case-diary that the applicant got acquainted with the victim through Instagram and soon after, the relationship between them turned into a love affair. It also appears from the statement of the victim that she is 17 years old and she herself went to Sambhajinagar all the way from Akola.

5. Considering the fact that the applicant under the dictum of this Court, appeared before the Investigating Officer (IO) and co-operated in the investigation, coupled with the fact that the mobile of the applicant has already been seized by the IO, custodial interrogation of the applicant may not be required. The applicant undertakes to co-operate in the investigation.

6. Considering all these aspects, the applicant can be protected by imposing appropriate conditions. Hence, I proceed to pass the following order:-

i) The order dated 02.12.2025 is hereby confirmed.

ii) In the event of arrest, applicant- Rushikesh S/o. Bhausahab Thombre be released on bail on furnishing a P.R. bond of Rs.25,000/- with one solvent surety in the like amount in connection with Crime No. 235/2025 registered with Police Station Civil Line, Akola for the offences punishable under Sections 137(2), 64, 64(m) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012.

iii) The applicant shall attend the concerned Police Station as and when called by the IO and shall co-operated in the investigation.

iv) The applicant shall not temper with the prosecution evidence in any manner.

v) The application is disposed of.

7. The fees of the learned counsel appointed to represent non-applicant no. 2 shall be quantified as per rules.

(M. W. CHANDWANI, J.)