



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

CRIMINAL APPEAL NO. 36 OF 2026

Tanuj Ganesh Gaurkar Vs. The State of Maharashtra and anr.

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

Court's or Judge's Orders.

Mr.VN.Mate, Advocate for the Appellant.
Mr.B.M.Lonare,APP for the State.
Ms.Neha Agrawal Advocate (appointed) for the
Victim.

CORAM : NEERAJ P. DHOTE, J.

DATE : 24/03/2026

1) This is an Appeal under Section 14-A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short SC and ST Act.) against the order dated 29.10.2025, passed by the learned Sessions Judge, Washim rejecting the Bail Application in Sessions Case Atrocity Case No.104 of 2025 arising out of the Crime No.200 of 2025 registered with the Jaulka Police Station for the offence punishable under Sections 137(2), 64(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(5) of the SC and ST Act.

2) The prosecution's case is that, the Victim who was admittedly major by age was taken by the Appellant on 11.04.2025 on the motorcycle by giving threat to kill. He

kept the Victim with him for four (4) months, during which period, he committed sexual intercourse with the Victim. On 29.07.2025, the Victim somehow contacted her mother and her parents took her back. The report was lodged and the above referred crime came to be registered.

3) Heard the learned Advocate for the Appellant and the learned APP for the State and the learned Advocate for the Respondent No.2. With their assistance perused the papers on record.

4) The Victim undisputedly was major by age i.e. 19 years old. The Appellant and the Victim were known to each other. They were together for about four (4) months. The investigation is complete and the trial has commenced. Out of Ten (10) witnesses, four (4) witnesses are examined. The evidence of the Victim is recorded. This being so, there is no question of influencing the Victim by the Appellant. Thus, in the facts and circumstances of the case, the Appellant can be enlarged on bail by imposing appropriate conditions. Hence the following order.

ORDER

- i) Criminal Appeal is allowed.
- ii) The impugned order dated 29/10/2025 passed by the learned Sessions Judge, Washim in Sessions Atrocity Case No.104 of 2025 is hereby quashed and set aside.

Appellant Tanuj Ganesh Gaurkar be released on bail in connection with Crime No.200 of 2025 registered with the Jaulka Police Station for the offence punishable under Sections 137(2), 64(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(5) of the SC and ST Act on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty five Thousand only) with one surety in the like amount.

iii) Bail before the Trial Court.

iv) The Appellant shall not tamper with the prosecution evidence in any manner.

v) The Appellant shall co-operate for the early conclusion of the trial.

vi) The Appeal stands disposed of.

JUDGE