



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

CRIMINAL APPLICATION [BA] NO.557 OF 2026.

Pradip Maheshwarprasad Diwedi

-VERSUS-

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 M.N. Ali, Advocate for the Applicant.
Shri U.R. Phasate, A.P.P. for Non-applicant No.1/State.
Ms. A. Ingolikar, Advocate for Non-applicant No.2.

CORAM : M.M. NERLIKAR, J.

DATE : JUNE 10, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.255/2025 registered with Allipur Police Station, District Wardha for the offence punishable under Sections 64, 65[1] and 70[2] of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 4 of the Protection of Children from Sexual Offences Act (POCSO).

3. The first information report came to be lodged by the victim alleging that, on 02.05.2025 when she was working on a machine, the training master informed her that she has

been called by G.M. Gurumurti in his office, where her modesty was outraged by him. She further alleged that on 04.05.2025 one Mobin and G.M. Gurumurti raped her in a compressor room and threatened her against disclosing the incident. The victim informed about the incident to her mother, who was also threatened, however, later on she lodged the report with the police station.

4. The learned Counsel for the applicant submits that the first information report was registered on 10.05.2025, wherein name of the present applicant was not mentioned and even no role is attributed. The first information was registered against one G.M. Gurumurti and Mobin alleging rape. It is submitted that even in the medical examination undertaken by the investigating agency, she had not named the present applicant. After two months, name of the present applicant was taken by the victim alleging that on the say of applicant, said G.M. Gurumurti and Mobin were implicated in the crime, on the contrary, the present applicant repeatedly committed rape on her. The learned Counsel further submits that this Court by order dated 17.02.2026 has granted liberty to the applicant to apply after conclusion of the evidence of the

victim, and since the evidence of victim is concluded, the applicant has filed this application and he deserves to be granted bail.

5. On the other hand, the learned A.P.P. and the learned Counsel appearing for the victim vehemently opposed the application by contending that the present applicant is the kingpin, as he has taken the victim into confidence and asked her to lodge first information report against G.M. Gurumurti and Mobin. Gurumurti is the Manager in the Factory, while Mobin is worker there. The applicant and the victim along with her mother were also working in the said factory. It is submitted that perusal of the supplementary statement of the victim would reveal that she has specifically stated that on 29.04.2025 between 6 to 6.30 p.m., the applicant came to her house when she was alone and committed rape on her. Thereafter repeatedly the applicant has committed rape on her. In the said statement she herself had disclosed that at the say of applicant, she has falsely implicated Gurumurti and Mobin. It is submitted that ossification test was conducted and age of the victim was shown between 12 to 14 years, thus, since the victim is a minor, in such circumstances the applicant does not

deserve to be enlarged on bail, even though the evidence of the victim is concluded.

6. I have heard the rival submissions of the parties and gone through the record. It is not in dispute that this Court by order dated 17.02.2026 has permitted the applicant to withdraw the earlier bail application and granted liberty to apply afresh after the evidence of victim is over. Now admittedly the evidence of victim is over, however, that by itself is not sufficient to grant bail. It is necessary to delve upon the material placed along with the charge sheet. It is also not in dispute that initially when the first information report was registered on 10.05.2025, the victim had not named the present applicant. The allegations of rape were leveled against G.M. Gurumurti and Mobin. It is only after registration of the first information report, when the supplementary statement of victim was recorded on 07.07.2025, the name of the applicant was taken. She has stated in her statement that the applicant touched her inappropriately multiple times. She has also specifically stated about the date and time of commission of the first offence of rape, that on 29.04.2025 at about 6 to 6.30 p.m. when she was alone in the house, the applicant entered

and committed rape on her and threatened her against disclosing the said incident. It further appears from the statement that the said act was repeated on several occasions. He further harassed her continuously. It also appears from the statement that she has implicated G.M. Gurumurti and Mobin falsely by leveling allegations of rape against them on the say of the applicant. It is further to be noted that, the harassment meted to the victim by the applicant was disclosed by the victim to the Manager G.M. Gurumurti, and accordingly applicant was removed from the factory. It further appears that to settle score against G.M. Gurumurti, the applicant had asked the victim to lodge false report of rape against G.M. Gurumurti and Mobin. No doubt in the first information report, the name of the applicant does not figure, further in the medical examination of the victim also there is no name of the applicant, however, fact remains that it is the applicant who compelled the victim to implicate Gurumurti and Mobin, as could be gathered from the supplementary statement of the victim as she was threatened of dire consequences. The supplementary statement further shows that the applicant has committed rape on the minor, who is 14 years of age on several

occasions. He also threatened her to file false case against G.M. Gurumurti and Mobin. The fact remains that the victim is 14 years old girl who was manipulated and sexually exploited by the applicant. Thus, considering the serious allegations against the applicant, I am not inclined to grant bail to the applicant. Criminal Application is therefore, rejected.

7. Fees of the appointed Counsel be determined and paid as per Rules.

JUDGE