



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

Criminal Application (ABA) No.136/2026

n Wankhede V State of Maharashtra through PSO Police Station Malkapur Gramin, District
Buldhana 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. Z.Z. Haq, Advocate for applicant.
Mr. S.S. Deshpande, Advocate for resp. no.2.
Mr. Autkar, APP for State.

CORAM : M.W. Chandwani, J.

DATE : 27-03-2026.

Heard the learned counsel for the applicant, learned
Counsel for respondent no.2 and learned APP for
non-applicant/State. Perused the case diary.

2. The applicant is apprehending his arrest in connection
with Crime No.0005/2026 registered with Police Station Malkapur
Rural, District Buldhana, for the offences punishable under Sections
74, 75, 137(2), 64, 115(2), 351(2), 351(3) of the Bhartiya Nyaya
Sanhita, 2023 and Sections 4, 6, 8 and 12 of the Protection of
children from Sexual Offences Act, 2012.

3. On perusal of the case diary, it appears that the victim,
who was aged about 17 years at the relevant time, lodged a complaint
stating that the applicant was known to her. It is alleged that in the
year 2022, while the victim was proceeding to her school by bus, the
applicant touched her inappropriately. It is further alleged that in the
month of June 2024, the applicant took the victim on his motorcycle

to the house of his friend, where he is stated to have established physical relations with her. It is also alleged that thereafter, on 19.12.2025, the applicant threatened the victim. Owing to such threat, the victim is stated to have disclosed the incidents to her family members, pursuant to which the present complaint came to be lodged before the concerned police station.

4. It appears from the First Information Report as well as the material produced by the applicant along with the application in the form of WhatsApp communication and photographs, that the applicant and the victim were acquainted with each other. No doubt, the victim was a minor at the relevant time; however, it is also apparent that the applicant himself was in his teenage years.

5. The contention of the learned counsel for the applicant is that there was a love affair between the applicant and the victim. According to him, the father of the applicant handed the victim over to the Police Station after he found out that the victim has left the house of her parents to come and reside with the applicant citing the reason that both the applicant and the victim are young. However, the victim refused to reside with her parents and therefore she was sent to a Juvenile Home by the Police. Thereafter, the custody of the victim was given to her parents. After a passage of 15 days, the victim lodged the complaint at the instance of her father.

6. Considering the fact that the applicant and the victim appear to have been in a relationship, coupled with the fact that the charge-sheet has already been filed, as well as taking into account the fact that the applicant himself is a teenager, this Court is of the view that in the peculiar facts and circumstances of the case, looking at the material available on record, rejection of the present application may have an adverse impact on the future of the applicant, who is stated to be pursuing his bachelor's degree.

7. So far as the submission of the learned Counsel appearing on behalf of the complainant that the applicant is threatening the victim and stalking her is concerned, the said apprehension can be adequately dealt with by imposing stringent conditions upon the applicant.

8. It is also pertinent to note that the applicant was earlier granted ad-interim protection subject to certain conditions, and there is nothing on record to indicate that he has breached any of the said conditions. On the contrary, it appears that the applicant has complied with the directions imposed by this Court and has appeared before the concerned Police Station. Therefore, in my view, a case is made out for confirmation of the order dated 18-02-2026.

9. Accordingly, application is allowed. Order dated 18-02-2026 passed by this Court shall stand confirmed.
10. The applicant shall appear before the concerned Police Station as and when directed.
11. The applicant shall not directly or indirectly contact the victim girl till the trial is over and shall not threaten the prosecution witnesses in any manner.
12. The applicant shall not enter the vicinity where the victim resides.
13. The applicant shall not enter the village Warkhed, Taq. Malkapur Gramin of District Buldhana for the period of one month.
14. The applicant shall not broadcast or circulate any photographs of the victim girl.

The observations made in this order are prima facie in nature and are strictly restricted to deciding the present application for grant of anticipatory bail. The said observations are made in these peculiar set of facts and are strictly not to be treated as precedent.

(M.W. Chandwani, J.)