

CRI.B.A. No.3787/2016.**Order Below Ex.1.**

1] The applicant has moved this court under Section 439 of The Code of Criminal Procedure of the offences punishable under Sections 7,8 and 9 of the protection of Children from Sexual Offences Act, 2012 and under Sections 354A(2),323,504 and 506 34 of the Indian Penal Code. It is alleged that applicant is the father of the complainant i.e. victim girl aged about 17 years. It is further alleged that when the victim girl came from college, the applicant tried to hug her, pressed her chest and tried to molest the chastity of the victim girl and outraged her modesty. FIR thus came to be lodged against the applicants.

2] It is contended that the applicant has been falsely implicated in this case. There is no direct or indirect evidence against the applicant. Nothing is to be recovered/discovered at the hands of applicant. There are no bad antecedents against the applicant. He is permanent resident of Pune, having roots over there. Hence, this is the application.

3] The application is opposed by the State by filing say at Exh.3. It is contended that the investigation is yet to complete. It is submitted that if the applicant is released on bail, there is possibility of repeated crime and tampering with the witnesses. The offence is serious one. Investigation is yet to complete. The rejection is thus prayed for.

4] Heard the Ld. A.P.P for prosecution and the learned counsel for applicant. The offence is serious but, the personal custody of applicant is not required for the purpose of investigation. Offences are bailable. Moreover, the applicant is the permanent resident of place mentioned having roots over there. With this, I proceed to pass the following order.

ORDER

- 1] The application is allowed.
- 2] The applicant Balasaheb Kacharu Kate be released on his executing P.R. bond of Rs. 15,000/-, with one surety in the like amount.
- 3] The applicant shall supply documentary evidence of his permanent address and shall file affidavit in support thereof.
- 4] The applicant shall not tamper with the prosecution witnesses in any manner.
- 5] The applicant shall report to the concerned police on every Monday between 4.00 p.m. to 5.00 p.m. till filing of the charge-sheet.

Pune.

(Mangala J. Dhote)

Date – 21.11.2016

Additional Sessions Judge, Pune.

“ I affirm that the contents of the P.D.F. File Judgment are same word for word as per original judgment.

Name of Steno - S.V.Thakar,

Court Name - Mangala J Dhote, Additional Sessions Judge,
Pune.

Date of order - 21.11.2016

Order signed by P.O. - 21.11.2016

Order uploaded on - 28.11.2016

