

ORDER BELOW EXH.1

1] This is an application for bail filed by the applicant u/s. 439 of Code of Criminal Procedure in connection with CR No. 1606/2023 registered with Hadapsar police station for the offences punishable under Sections 354-D, 506 of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act. [Hereinafter the Indian Penal Code referred to as “IPC” and the Protection of Children from Sexual Offences Act referred to as “POCSO Act” for the sake of brevity.]

2] The prosecution has filed say and opposed this bail application.

3] Heard Ld. Advocate for the applicant and Spl.P.P. for the State. Perused application, say filed by the prosecution and police papers.

4] The victim aged 15 years and 3 months old has lodged a report against the present applicant who is son-in-law of her maternal aunt. The FIR indicates that the maternal aunt of the victim was residing near to the house of the victim. Son-in-law of the maternal aunt of the victim used to come to the house of the maternal aunt of the victim and at that time, he was looking towards the victim with ill intention, but the victim neglected the same. The applicant used to come to the house of the victim also and observing his conduct, the parents of the victim gave understanding to him.

5] Further, FIR indicates that on 20.10.2023 at around 1.00 a.m., the applicant told her father by giving him phone call that he would keep the photographs of the victim on the status and make her photographs viral on social media and also he gave threat of his life and called him immediately in the chowk opposite to Siddheshwar Hotel. Due to the threat given by him, the victim, her father and mother and their neighbour went near Siddheshwar Chowk. The applicant was under the influence of the liquor and he told the victim that he likes her and called her to come with him and again he was giving threats. Thereafter, they called the police help and then went to the police station. Accordingly, the victim has lodged a report against the applicant.

6] Prima facie it appears that the applicant who is married person harassing the victim sexually by uttering the words and by constantly watching her with ill-intention. The applicant is close relative and he is in dominating position. The investigation is in progress. He is 27 years old married person. Therefore, it is not just and proper to release him on bail. Hence, application is to be rejected. With this, I proceed to pass the following order:

ORDER

- 1] The application is rejected.
- 2] Bail application stands disposed of accordingly.

Pune.
Date – 15.12.2023.

(S.P. Ponkshe)
Addl. 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	- Sau.S.V.Thakar (Steno G-1)
Court Name	- Smt. S. P. Ponkshe, Addl. Sessions Judge, Pune.
Date of Order	- 15.12.2023
Order dictated on	- 15.12.2023
Order transcribed on	- 15.12.2023
Order signed by P.O.	- 15.12.2023
Uploaded on	- 16.12.2023