

**O R D E R   B E L O W   E X H . 1**

Applicant **Ramesh Baban Margale** has taken out present application for grant of pre-arrest bail under Section 438 Code of Criminal Procedure apprehending his arrest in C.R. No. 248/2024 registered in Sinhgad Road Police Station, Pune for offences punishable under Section 354-D and 506 of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Perused the application, reply of the prosecution and documents filed therewith. Heard learned advocate for the applicant and Ld. Spl. P.P. In spite of service of notice, informant/victim did not appear and therefore, they could not be heard.

3. Learned Advocate for applicant argued that applicant is young and student. Applicant is falsely implicated in the present crime. Investigation is already completed and final report bearing Spl. Case No. 772 of 2024 is already filed in this Court. Applicant is ready to co-operate respondent. The applicant is not having criminal antecedents. Considering nature of offence, there is no necessity of custodial interrogation. Applicant is ready to abide all the conditions which court may impose therefore applicant prayed that application be allowed.

4. On the other hand, Ld. Spl.P.P. argued that, applicant may commit similar offences and offences alleged to have been committed by applicant are of serious nature. Hence, learned Spl. P.P. submitted that application be rejected.

5. From the appreciation of matter on record it appears that, crime no. 248/2024 is registered by Sinhgad Road police station, Pune for the offences punishable under Section 354D, 506 of the Indian Penal Code and under Section 12 of the POCSO Act. From perusal of copy of FIR/ report, it reveals that prosecution case is that on 22.04.2024 and earlier, applicant used to follow victim and used to try to speak with her and he threatened her. Considering nature of crime, custodial interrogation of applicant does not appear necessary. Moreover, investigation is already completed and final report bearing Spl. Case No. 772/2024 is already filed against accused. The offences alleged to have been committed by applicant do not appear to be of grievous nature and severe punishment is not provided for same and there appear no possibility that applicant may flee from justice or misuse the liberty. No criminal antecedents are attributed to applicant. The conduct of applicant and the above facts and the apprehension of applicant justify grant of anticipatory bail to applicant.

6. Considering the above facts and discussion and prima facie appreciation of the material on record grant of pre-arrest bail to applicant is not likely to be prejudicial to the investigation and investigation is not likely to be hampered. Moreover applicant is not likely to misuse her liberty.

7. Considering the nature of the offence, gravity of the offence, reply of the respondent, there appear justifiable grounds for releasing applicant on pre-arrest bail. As such present application deserves to be allowed. Hence, the following order.

**ORDER**

1. Cri.Bail Application No.3089/2024 in C.R. No. 248/2024, is allowed.
2. In the event of arrest of applicant **Ramesh Baban Margale** in Crime No. 248/2024 registered in Sinhgad Road Police Station, Pune for offences punishable under Section 354-D and 506 of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act, 2012, applicant be released on executing PR Bond of Rs.50,000/- (Rs. Fifty thousand only) with one or more sureties in like amount on the following conditions :
  - (a) Applicant shall co-operate the Investigating Officer and shall make herself available for interrogation by concern Investigating Officer as and when required.
  - (b) Applicant shall not indulge any activity obstructing course of investigation or trial.
  - (c) Applicant shall not follow the victim till disposal of trial.
3. Inform concerned police station/Investigating Officer accordingly.
4. Cri.B.A. No.3089/2024 is disposed of accordingly.

**(Pronounced in open Court)**

**Date : 14/08/2024.**

**(K.P. Kshirsagar)**  
Spl. Judge, (POCSO), Pune.

Dictated on : 14.08.2024  
Transcribed on : 14.08.2024  
Checked on : 14.08.2024  
Signed on : 14.08.2024

Cri.B.A. No. 3089/2024

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in C.R. No. 248/2024