

ORDER BELOW EXH. 1 IN SPL(C) MA NO. 254/2014

This is the bail petition filed by applicant as per Sec.439 of Cr. P. C.

2] The say of applicant is that Sunil Salunkhe lodged the complaint to Dattawadi police station on 1.6.2014 alleging that his daughter Komal aged 17 years is kidnapped by present applicant on 29-5-2014 at about 9 p.m. with intention to marry with her and later on he and Komal produced themselves before Dattawadi police station.

3] The say of applicant is that he and Komal are having love affair with each other. Komal suo-motu left her house and accused has not kidnapped her. It is his say that there is love affair between he and Komal since long time. He had not committed any offence. So he prayed for bail.

4] State appeared and objected the application.

5] I heard the submission of both the sides. Following points arise for my determination. I record my points and findings together with for the reasons stated below.

Points**Findings**

1] Whether applicant is entitled to bail ?

– Yes.

2] What order ?

– Application is allowed.

REASONS**All points. :-**

6] After perusal of police papers, I found that complaint is lodged by father of Komal. Police have recorded the statement of Komal on 4-6-2014. It is her say that she had love affair with applicant. She had left her own house suo-motu. She is not making any allegation and complaint against the applicant. She refused to go to the house of her parents. Police did her medical examination from Sassoon Hospital, Pune. It seems that she had sexual

intercourse with applicant, but she is not stating anything about it in her statement. It seems that it is a matter of love affair between Komal and applicant and they have love affair with each other and because of love affair both have gone away from the house. Now almost all investigation is completed. Medical examination of accused is also carried out. No further custodial inquiry of applicant is required. So in these circumstances, I say that applicant is entitled to bail on certain conditions.

ORDER

1] Application is allowed as under :-

The applicant Akshay Balasaheb Shelar be released on bail, in connection with CR No.235/14 registered at Dattawadi Police Station, under Section 363, 366-A, 376-A of IPC and under S. 3, 4 of The Protection of Children from Sexual Offences Act, 2012, on executing SB and PB of Rs. 15,000/- with one surety in the like amount, on following conditions.

- A] The applicant shall not tamper with the prosecution evidence in any manner.
- B] The applicant shall co-operate with police for further investigation.
- C] The applicant shall attend the Court on given date.
- D] The applicant shall attend concerned police station on last Sunday of each month in between 11 a.m. to 2 p.m. till filing of the charge-sheet.
- E] The applicant shall not visit the residential area of complainant, till decision of this case.

Pune,

Dated/- 10-07-2014.

(Mrs. Prachi P. Kulkarni)

Special Judge, Pune (Under The Protection
of Children from Sexual Offences Act, 2012)

I affirm that the contents of this PDF file Judgment are same word for word as per original Judgment. Name of Steno : Shri. V. V. Bannur, PA. Court Name : Smt. P. P. Kulkarni, District Judge, 01, Pune. Judgment signed by P,O. on : 11-7-14 Judgment uploaded on : 11-7-14 Date of PDF file : 11-7-2014