

ORDER BELOW EXH.1

(Akshay Chandrakant Kalbhor V/s. State of Maharashtra)

1] Perused application and say. Heard Advocate for applicant and APP for the State.

2] This is first bail application filed under section 439 of Cr.P.C. by applicant in respect of his arrest in C.R. No. 487/2019 registered at Loni Kalbhor Police Station for the offence punishable under section 354-D, 341, 509 of the Indian Penal Code and under section 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim aged about 15 years lodged report stating that applicant is their neighbourer. He used to follow her by his vehicle when she was going to school and he used to make obscene remarks by obstructing her on road. On 26.6.2019, he obstructed her by following on motorcycle at 10.00 am and asked her that he want to talk with her, but she went away.

3] According to applicant he is falsely implicated in this matter. There is delay in lodging report. It is case of love affair between victim and applicant, but her relatives opposed the same and falsely involved applicant in this matter. Relatives of victim beat applicant and as applicant will file complaint against them, present report is filed by victim making false allegations. Applicant is 20 years old, taking education, his career will spoil if he remained in jail for unknown period. He is permanent resident of Loni Kalbhor, Tal- Haveli, Dist- Pune. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] APP objected this application on the ground that investigation is in progress. Victim is only 15 years old. Applicant repeatedly follow her. Applicant will pressurize victim and witnesses. There is possibility of tampering prosecution evidence. So, she prayed to reject the application.

5] Allegations against the applicant are serious. Applicant is interrogated. From statement of victim role attributed to applicant can be gathered. She made allegations of obscene remarks and her sexual harassment by following her by applicant. Considering allegations and nature of offence, investigation is practically over, personal custody of applicant is not required. He is permanent resident of Loni Kalbhor, Tal- Haveli, Dist-Pune. He is a student and if he remained in jail for unknown period his career will spoil. Applicant has no criminal antecedents. No purpose would serve by keeping the applicant behind bar for unknown period. Due to all above reasons application deserves to be allowed with following order -

ORDER

- 1] The application is allowed.
- 2] The applicant Akshay Chandrakant Kalbhor be released on executing P.R. bond of Rs.15,000/- with one or two solvent sureties in the like amount.
- 3] The applicant shall not tamper the prosecution witnesses in any manner.
- 4] The applicant shall attend Loni Kalbhor Police Station on every Monday between 11.00 a.m. to 2.00 p.m. till the charge-sheet is filed.

5] The applicant shall not meet the victim and threat and pressurize the victim, shall not repeat the offence, shall not enter into vicinity of residence of victim.

6] The applicant shall co-operate investigating machinery as and when required.

7] Prior to furnishing surety, the applicant shall submit his address proof, mobile number and inform about the change in address and mobile number.

Pune.
Date – 19.7.2019.

Sd/-
(R.V.Adone)
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	- Arya Nikam (Stenographer G-1)
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 19.7.2019.
Order signed by P.O.	- 19.7.2019.
Order uploaded on	- 20.7.2019.