

ORDER BELOW EXH.1

(Sagar Eknath Khalase 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. 400/2019 registered at Bhosari MIDC Police Station for the offence punishable under section 354, 354-D of the Indian Penal Code and under section 11, 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that mother of victim aged about 14 years lodged report stating that applicant was repeatedly following victim and proposed her. He forcibly gave her mobile and told victim that he will marry with her. He thereby outraged modesty of victim.

3] According to applicant he is falsely implicated in this matter. There is delay in lodging report. It is a case of love affair and friendship. Investigation is practically over. He is doing labour work and his family members are depending on him. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] APP and I.O. objected this application on the ground that investigation is in progress. Applicant will pressurize victim and witnesses. There is possibility of tampering prosecution evidence. So, they 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. It revealed that applicant committed sexual harassment of victim by following her. Considering nature of offence, personal custody of

applicant is not required. He has no criminal antecedents. Applicant is doing labour work and his family members are depending on him. He is permanently residing at MIDC Bhosari, Pune. 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 Sagar Eknath Khalase be released on executing P.R. bond of Rs.20,000/- with one or two solvent sureties in the like amount.
- 3] The applicant shall not tamper the prosecution evidence in any manner.
- 4] The applicant shall attend Bhosari MIDC 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, harass, threat and pressurize the victim. He shall not repeat offence and shall not enter into 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 – 01.07.2019.

Sd/-
(R.V.Adone)
Addl.Sessions Judge, Pune.

I affirm that the contents of this PDF file Order are same word for word as per original Order.

Name of Stenographer	Sau. Arya Nikam (Stenographer G-I
Court Name	R .V. Adone District Judge – 14 & Additional Sessions Judge, Pune
Date of Order	01.7.2019.
Order signed by	01.7.2019.
Presiding Officer on	
Order uploaded on	03.7.2019.