

ORDER BELOW EXH.1

(Rutik Gajanan Jadhav 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. 446/2019 registered at Bharati Vidyapeeth Police Station for the offence punishable under section 354, 504, 506 of the Indian Penal Code and under section 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that mother of victim aged about 17 years lodged report stating that she was acquainted with applicant since 2018. They were talking with each other. In August-2018 applicant proposed her, but victim told that her family members will oppose the proposal. In spite of it, applicant was making phone call to victim. On 10.01.2019, Victim went to meet applicant at his house, applicant kissed her though she resisted, he abused her. On 23.6.2019, act was repeated and applicant 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. Investigation is practically over. Personal custody of applicant is not required. He is only 21 years old and doing labour work. He is permanently residing at Parvati, Pune. 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. Statement of victim u/s. 164 of Cr.P.C. is yet not recorded. 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 due to love affair victim and applicant were meeting and talking each other. Considering allegations and nature of offence, investigation is practically over. Personal custody of applicant is not required. He has no criminal antecedents. Applicant is doing labour work and permanent resident of Parvati, 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 Rutik Gajanan Jadhav be released on executing P.R. bond of Rs.15,000/- with solvent surety in the like amount.
- 3] The applicant shall not tamper the prosecution evidence in any manner.
- 4] The applicant shall attend Bharati Vidyapeeth 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.
- 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 – 01.7.2019.

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	- Sau. Arya Nikam (Stegrapher G-1)
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of order	- 01.7.2019.
Order signed by P.O.	- 01.7.2019.
Order uploaded on	- 03.7.2019.