

ORDER BELOW EXH. 1

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

2] This is first bail application filed under section 439 of Cr.P.C. by applicants in respect of their arrest in C.R. No. 26/2019 registered at Chatushrungi Police Station for the offence punishable under section 354, 354(D), 506 r.w. 34 of the Indian Penal Code and under section 11(iv) read with 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim aged about 16 years lodged report stating that applicants resides in their society and since one year, they were teasing her. Her brother gave understanding to applicants. On 06/01/2019, at 2.30 p.m., applicants no. 1 and 2 stopped at the gate of the building and victim was coming down from stair case. Applicant no. 2, hold her collar and told that he will nude her by tearing her clothes. Applicant no. 1 beat her at backside. Previously also applicants abused victim in filthy language and threatened to kill her.

3] According to applicants, they are falsely implicated in this matter. Their family members are depending upon them. Investigation is practically over. They are permanently residing at Wadarwadi, Dist-Pune. They have no criminal antecedents. They are ready to abide the conditions. Hence, they prayed to release them on bail.

4] APP objected this application on the ground that investigation is in progress. There is no delay in lodging report, delay is explained. Victim and applicants are residing in same building. Act was repeated by applicants. Applicants will pressurize victim and witnesses. There is possibility of tampering prosecution evidence. So,

he prayed to reject the application.

5] Allegations against the applicants are serious. Applicants are sufficiently interrogated. Considering allegations and nature of offence investigation is practically over. Personal custody of applicants is not required. Applicants are earning member of family and his family members are depending upon him. Applicants are resident of Wadarwadi, Pune. They have no criminal antecedents. Considering gravity of the offence and fact that act was repeated, it is proper to impose strict conditions on applicants. Therefore, application deserves to be allowed with following order:

ORDER

- 1] The application is allowed.
- 2] The applicants Prashant Manohar Shinde and Pankaj Manohar Shinde be released on executing P.R. bond of Rs. 40,000/- each with one or two solvent sureties in the like amount. Sureties be verified by police.
- 3] The applicants shall not tamper the prosecution evidence in any manner.
- 4] The applicants shall attend Chatushrungi Police Station on every Monday between 11.00 a.m. to 2.00 p.m. till the charge-sheet is filed.
- 5] The applicants shall not harass, meet victim and threat and pressurize the victim and witnesses.
- 6] Applicants shall not repeat offence and shall not enter in the vicinity of residence of victim.
- 7] The applicants shall co-operate investigating machinery as and when required.

8] Prior to furnishing surety, the applicants shall submit their address proof, mobile number and inform about the change in address and mobile number.

Pune.

Date -22.01.2019.

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	- S.V.Thakar,
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 22.01.2019.
Order signed by P.O.	- 22.01.2019.
Order uploaded on	- 22.01.2019.