

ORDER BELOW EXH. 1 IN SPL(C) MA NO.202 OF 2014

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

2] The say of applicant is that Vimantol police have filed CR No. 121/14 against him under S. 342, 363, 366-A, 376, 506 of IPC. The say of applicant is that complaint is lodged by complainant Jyoti Paal alleging that her daughter Rashmi had not returned to the house on 15-5-2014 and they started searching for him. Then he came to know present accused kidnapped her and raped her. So she lodged the complaint. It is the say of applicant that he did nothing and, therefore, he prayed for bail.

3] State appeared and objected the application.

4] 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 ?

– No.

2] What order ?

– Application is rejected.

REASONS**All points. :-**

5] After perusal of complaint, I found that after getting the knowledge of incident on 16-5-2014, complainant immediately filed complaint on 16.5.2014. The statement of Rashmi, victim girl will show that on 15.5.2014, Jyoti went for his work. So at 11.30 a.m. she went towards tailor's shop. That time present applicant, who was working as driver on her school van came to her and took her on Pulsar vehicle and he was ready to leave her to the house and

then took her at flat and did sexual intercourse with her, without caring her objection and restrained her in the flat and then she ran away from that flat. It seems that accused kidnapped the small girl and raped her. The medical certificate of victim girl do show that she faced rape and it is supporting to her case. Today police produced the school leaving certificate of Rashmi and it shows that her birth date is 15-04-2000. So at the time of incident, she was below 16 years. So considering the nature of the case and involvement of accused and considering the fact that still investigation is going on, it is not fit case to release the applicant on bail. This is not the matter of love affair between the applicant and victim girl. So I say that application is not tenable and is liable to be rejected. With this, I answer all points accordingly and proceed to pass the following order.

ORDER

Application stands rejected.

Pune,

Dated/- 16-07-2014.

(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, Dist. Judge,01, Pune. Judgment signed by P.O. on : 16-7-14 Judgment uploaded on : 19-7-14 Date of PDF file : 19-7-14

