

ORDER BELOW EXH.1

1] This is an application for bail filed by the applicant u/s. 439 of Code of Criminal Procedure in connection with CR No. 512/2024 registered with Hadapsar police station for the offences punishable under Sections 354-D of the Indian Penal Code and under Sections 12 of the Protection of Children from Sexual Offences Act. [Hereinafter the Indian Penal Code referred to as “IPC” and the Protection of Children from Sexual Offences Act referred to as “POCSO Act” for the sake of brevity.]

2] The prosecution has filed say and opposed this bail application.

3] Heard Ld. Advocate for the applicant and Spl.P.P. for the State. Perused application, say filed by the prosecution and police papers.

4] The victim aged 14 years has lodged a report against the applicant. The victim is studying in 8th standard in Girls School at Hadapsar. The FIR indicates that on 22.03.2024, there was Friday and the programme of Shiv-vandana in open space opposite to Tupe Natyagriha and therefore, the victim left the house at 10.30 a.m. and reached at 11.00 a.m. After Shiv-vandana at 12.15 p.m., the victim was proceeding towards Gadital by walk and she came near Pune Solapur Road, beneath Hadapsar bridge and at that time, unknown motorcycle rider came from her back side and stopped his two wheeler near to her. He asked her why she did not wear chappal. The

victim neglected him and continued to walk towards Gadital and the said unknown was following her. When she was proceeding towards rickshaw stand after crossing Hadapsar Police Station, and at that time also the said person was following her. The victim got scared. Therefore, the victim went at Bhosale village by autorickshaw and at that time also that unknown was following her. Again at Bhosale village, when she alighted from the rickshaw, the said unknown was following her. At that time, the victim saw her father as he had been there to drop her brother to the school. The victim immediately went towards her father and disclosed the incident. The father of the victim went near to motorcycle rider and asked him about his conduct and at that time, he was trying to run away. Therefore, the father of the victim caught hold him and gave phone call to the police and sought help. After some time, Hadapsar police came there and apprehended said motorcycle rider and in the presence of the victim and her father, asked his name. He told his name and his age 32 years. Accordingly, the informant/victim has lodged a report against the applicant.

5] It appears that the applicant is arrested on 22.03.2024. Considering the nature of the allegations, it seems that almost the investigation has been completed. In view of the act committed by the applicant and the punishment provided for the offence, it seems that his further detention behind the bars is not necessary. No doubt, in view of the conduct of the applicant while releasing him on bail, it is just and necessary to impose stringent conditions upon him. Thus, this application is to be allowed, by imposing stringent conditions upon the applicant. With this, I proceed to pass the following order:

ORDER

- 1] The application is allowed.
- 2] The applicant **Sandeep Nana Shinde** shall be released on bail upon furnishing P.R. bond in the sum of Rs.50,000/- with surety in the like amount.
- 3] The applicant shall attend concerned police station on every Monday and Friday between 10.00 am to 11.00 am till filing of the charge-sheet.
- 4] The applicant shall not tamper with the prosecution evidence in any manner. He shall not pressurize the victim, informant and family members and witnesses and shall not indulge in any offence.
- 5] The applicant shall not contact with the victim and family members, in any manner.
- 6] The applicant shall submit his address proof and phone details as well as phone details of two close relatives to Investigating Officer.
- 7] The applicant shall not leave India without prior permission of the Investigating Officer.
- 8] Violation of any of the conditions imposed, shall amount the cancellation of bail forthwith.
- 9] Bail application stands disposed of accordingly.

Pune.
Date – 22.04.2024.

(S.P. Ponkshe)
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.S.V.Thakar (Steno G-1)
Court Name	- Smt. S. P. Ponkshe, Addl. Sessions Judge, Pune.
Date of Order	- 22.04.2024
Order dictated on	- 22.04.2024
Order transcribed on	- 22.04.2024
Order signed by P.O.	- 22.04.2024
Uploaded on	- 23.04.2024