

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. 253/2022 registered with Haveli police station for the offences punishable under Sections 354-A, 354-D, 341, 386, 323, 504, 506 of the Indian Penal Code and under Sections 8,12 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] It is the case of the prosecution that from June-2021 to September-2022, under pretext of love on the victim, the applicant forcibly kissed her and pressed her breast. He repeatedly gave threats to kill and under pretext of hospital expenses, the applicant took Rs.9,000/- from the victim and he compelled the victim to give him her gold chain for purchasing KTM RC 500 vehicle and also for various reasons he compelled the victim to give him Rs.80,000/-.

5] The victim who is 16 years old has lodged report against the applicant and she disclosed their love relationship and the applicant

was calling her to meet repeatedly. Further, she has disclosed how the applicant grabbed amount from her on various grounds. The victim denied to give him money after making payment of total Rs.80,000/- to the applicant and further the victim has narrated how the applicant has committed sexual assault upon her. She has further disclosed that the applicant took gold chain from her. There is statement of mother of the victim which prima facie supports the prosecution case.

6] Thus, prima facie there is sufficient material against the applicant regarding commission of alleged offences. Prima facie there are sufficient material in respect of commission of sexual assault and sexual harassment to the victim. The investigation has not been completed and it is in progress. Therefore, at this stage, it is not just and proper to release the applicant on bail. Therefore, the application is to be rejected. With this, I proceed to pass the following order:

ORDER

- 1] The application is rejected.
- 2] Bail application stands disposed of accordingly.

Pune.
Date – 05/12/2022.

(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	- 05.12.2022
Order dictated on	- 05.12.2022
Order transcribed on	- 05.12.2022
Order signed by P.O.	- 06.12.2022
Uploaded on	- 06.12.2022