

ORDER BELOW EXH.1

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.244/2019 registered at Kamshet Police Station for the offence punishable under sections 354, 354-A, 354-D and 452 of the Indian Penal Code and under section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged victim aged about 16 years lodged report stating that she was acquainted with applicant when she was studying in 11th standard. Applicant was following her till her college and was making gestures by seeing her, she ignored. On 08.8.2019 victim was alone in house, applicant entered in her house and told that he loves her. Victim refused his proposal, but he hold her hand, hugged her and kissed her at cheek and thereby outraged her modesty.

3] According to applicant he is falsely implicated in this case. It is case of love affair between victim and applicant. But, family members of victim opposed the relationship. Investigation is practically over. He is only 18 years old and student. His career will spoil if he remained in jail for unknown period. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] A.P.P. for State resisted the application on the ground that investigation is in progress. Victim is minor and applicant will pressurize and threats her. There is possibility of tampering prosecution evidence. So she prayed to reject the application.

5] Allegations against the applicant are serious. Applicant is interrogated. Considering allegations and nature of offence personal custody of applicant is not required. There is allegation of sexual harassment to victim by applicant. Applicant is resident of Tal- Maval, Dist-Pune. He is 18 years old and student. If he remained in jail for unknown period his career will spoil. Applicant has no criminal antecedents. 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 Dinesh Balu Shinde be released on executing P.R. bond of Rs.20,000/- with one or two solvent sureties in the like amount.
- 3] The applicant shall not tamper the prosecution witnesses in any manner.
- 4] The applicant shall attend Kamshet 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 the victim and threat and pressurize the victim, shall not repeat the offence, shall not enter into vicinity of residence of 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 – 20.8.2019.

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	- Arya Nikam (Stenographer G-1)
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 20.8.2019.
Order signed by P.O.	- 20.8.2019.
Order uploaded on	- 21.8.2019