

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. 860/2019 registered at Pimpri Police Station for the offence punishable under section 354, 354-D, 506 of the Indian Penal Code and under section 7, 8 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim aged about 17 years lodged report stating that since 20.2.2019 their neighbour i.e. present applicant was following her when she was going to her work place and returned to house. On 3.8.2019 when she returned from work, applicant called her out of house and told that he likes her. When she refused he caught hold of her hand. She shouted and her sister came, then applicant went away by threatening them.

3] According to applicant he is falsely implicated in this matter. It is case of love affair between first informant and applicant. There is delay in lodging report. Investigation is practically over. Applicant is 21 years old. He is resident of Morwadi, Pimpri, Pune. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] APP objected this application on the ground that investigation is in progress. Applicant will pressurize victim and witnesses. Act was repeated by applicant. Victim herself filed F.I.R. Applicant will repeat the offence. There is possibility of tampering prosecution evidence. So, she prayed to reject the application.

5] Allegations against the applicant are serious. Applicant is interrogated. From statement of first informant role attributed to applicant can be gathered. First informant made allegation of her sexual harassment by applicant. Considering allegations and nature of offence, investigation is

practically over. Personal custody of applicant is not required. He is 21 years old. He is doing labour work. If he remained in jail for unknown period his career will spoil. He is permanent resident of Morwadi, Pimpri, Pune. 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 Rohit Ashok Waghmare 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 Pimpri 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 – 22.8.2019.

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	- 22.8.2019.
Order signed by P.O.	- 26.8.2019.
Order uploaded on	- 26.8.2019.