

**ORDER BELOW EXH.1**

( Shubham Laxman Kumbhar V/s. State of Maharashtra)

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. 67/2021 registered at Bhosari M.I.D.C. Police Station for the offence punishable under section 354-A, 507 of the Indian Penal Code and under section 7, 8, 11, 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that mother of victim aged about 16 years 6 months lodged report stating that prior to six months victim told her that she was acquainted with applicant, who was coming for playing in the garden of their society, they both were talking and meeting with each other, applicant outraged her modesty by touching her chest, later on he was calling her to meet outside, she refused, he threatened her to viral her photographs which were sent on instagram app by her. Parents of victim convinced applicant but applicant was threatening victim.

3] According to applicant he is falsely implicated in this matter. There is love affair between applicant and victim and her family members opposed it. Investigation is practically over. Applicant is only 20 yrs. Old and student. His career will spoil if he remained in jail for unknown period. He permanently residing at Bhosari, Pune. He has no criminal antecedents. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] APP and I.O. objected this application on the ground that investigation is in progress. Applicant resides near victim so applicant will pressurize victim and witnesses. There is possibility of tampering prosecution evidence. So, they prayed to reject the application.

5] Allegations against the applicant are serious. Applicant is interrogated. From statement of victim role attributed to applicant can be gathered. It revealed that she was acquainted with applicant. They were meeting and talking with each other. She sent her photographs. Applicant touched her chest and outraged modesty and he was asking her to meet outside, she refused, then he threatened her to viral her photographs and was messaging her since December 2020. About incident which took place prior to about one year and in December 2020, report is filed on 31.01.2021. Considering allegations and nature of offence investigation is practically over. Personal custody of applicant is not required. Applicant is only 20 yrs. Old and student, his career will spoil if he remained in jail for unknown period. Applicant is resident of Bhosari, 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 Shubham Laxman Kumbhar 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 Bhosari M.I.D.C. 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.

8] The applicant shall submit list of three blood relatives with their detail residential addresses and addresses of their place of work.

Pune.  
Date - 15.02.2021

*R Adone*  
15/2/2021  
(R.V.Adone)  
Addl.Sessions Judge, Pune.