

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.919/2019 registered at Bhosari Police Station for the offence punishable under section 354 of the Indian Penal Code and under section 8 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim aged about 16 years lodged report stating that prior to two weeks she was acquainted with applicant and talking with him on phone. They were meeting at BRT bus stop occasionally. On 19.10.2019 after college hours, friend of victim made phone call to applicant and told about quarrel between her and victim and asked her to meet them. At 6.00 pm, victim received call from applicant and she went to Bhosari bus stop, where applicant met her, pulled her near him and kissed her, thereby outraged her modesty.

3] According to applicant he is falsely implicated in this matter. There is delay in lodging report. Victim and applicant are acquainted with each other since long. Victim became angry with applicant only due to fact that applicant was not paying attention towards her. Moreover, considering nature of offence, investigation is practically over. Personal custody of applicant is not required. He is earning member of his family. He has no criminal antecedent. He is temporary resident of Bhosari and permanently resident of Ambulga

(bk), Tal- Mukhed, Dist-Nanded. 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. 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 F.I.R. role attributed to applicant can be gathered. There are allegations of sexual harassment of victim by applicant. Considering allegations and nature of offence investigation is practically over. Personal custody of applicant is not required. Applicant is temporary resident of Bhosari and permanently resident of Ambulga (bk), Tal- Mukhed, Dist-Nanded. 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 Pandurang Kisanrao Zade 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 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 – 24.10.2019.

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	- 24.10.2019.
Order signed by P.O.	- 24.10.2019.
Order uploaded on	- 24.10.2019