

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. 954/2022 registered with Bhosari police station for the offences punishable under Sections 354-D, 506 of the Indian Penal Code and under Sections 11,12 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. Also perused documents tendered by the applicant particularly S.S.C. Mark-sheet, I.T.I. admission, Scholarship Certificate and medical report of the applicant and photographs.

4] Mother of the victim has lodged report against the applicant on 24.11.2022. The victim is 14 years old and is studying in 7th standard. In Corona period, for online studies, mobile phone had been given to the victim. In 2022, her regular school started and her father was started using the said mobile phone. He found repeatedly he was receiving phone call from two specific numbers and at that time, upon asking by father, the victim told that said numbers are of son of her paternal aunt i.e. the applicant and he was giving her

phone call since Corona and he wanted to marry to her. The victim stopped talking with the applicant and thereafter, he was repeatedly giving phone calls and harassing her. Being relative, they did not file report.

5] On 19.11.2022 when mother of the victim had been come to home, the victim found scared. She disclosed that on that day, the applicant had been stopped near to her school and he was following her and he threatened her that if she did not want to talk to him, he knew her house and school and he may kidnap her and make viral photos on social media and thereafter, the victim's mother lodged report on 24.11.2022.

6] The victim has reiterated the incidents as stated in the report by her mother. Considering nature of allegations and delay in lodging report and conduct and even further, in view of punishment provided for the offence, it is not just and proper to keep the applicant behind the bars for unknown period. Therefore, application is to be allowed by imposing stringent conditions upon him. With this, I proceed to pass the following order:

ORDER

- 1] The application is allowed.
- 2] The applicant **Krishna Arjun Kambale** shall be released on bail upon furnishing P.R. bond in the sum of Rs.50,000/- with surety in the like amount.
- 3] The applicant shall attend concerned police station on every Monday and Friday between 10.00 am to 11.00 am till filing of the charge-sheet.

- 4] The applicant shall not tamper with the prosecution evidence in any manner. He shall not pressurize the victim, informant and family members and witnesses and shall not indulge in any offence.
- 5] The applicant shall not contact with the victim and family members, in any manner.
- 6] The applicant shall not confront to the victim and not to enter in the area where the victim is residing.
- 7] The applicant shall submit his address proof and phone details as well as phone details of two close relatives to Investigating Officer.
- 8] The applicant shall not leave India without prior permission of the Investigating Officer.
- 9] Violation of any of the conditions imposed, shall amount the cancellation of bail forthwith.
- 10] Bail application stands disposed of accordingly.

Pune.

Date – 21/01/2023.

(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	- 21.01.2023
Order dictated on	- 21.01.2023
Order transcribed on	- 21.01.2023
Order signed by P.O.	- 23.01.2023
Uploaded on	- 23.01.2023