

ORDER BELOW EXH.1

1] Perused the 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.193/19 registered at Dattawadi Police Station for the offence punishable under section 354, 354(A), 323 of the Indian Penal Code and under sections 7, 8, 11 and 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that mother of victim aged about 6 years lodged report stating that, on 25/03/2019 victim was playing colors with other children on road. On 7.15 p.m. victim was crying and upon asking she told that, their neighbourer i.e. applicant took her in his house, removed her panty and moved his hand from her vagina. He beat her. First informant ascertained about applicant and then lodged report.

3] According to applicant he is falsely implicated in this matter. There is family dispute between his family and family of first informant. There is delay in lodging report. Investigation is practically over. He is permanently residing at Dattawadi, 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 and victim are residing in same locality, victim is only 6 years old and applicant will pressurize victim and witnesses. There is possibility of tampering prosecution evidence

and witnesses. So, they prayed to reject the application.

5] Allegations against the applicant are serious. From statement of first informant and victim, role attributed to applicant can be gathered. There is allegation of inappropriate touch to victim at her vagina by removing her panty. Victim is only 6 years old, applicant is 20 years old and residing in same locality. Investigation is going on and there is possibility of giving threat and pressure by applicant to victim and witnesses. Considering above reasons and as investigation is going on, at this initial stage it is not proper to release applicant on bail. Therefore, application deserves to be rejected with following order.

ORDER

The application is rejected.

Pune.
Date –24/04/2019.

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	- S.K. Sayyad, Steno Grade I
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 24.04.2019
Order signed by P.O.	- 24.04.2019
Order uploaded on	- 25.04.2019