

Criminal Bail Application No.126/2026

(CNR-MH-DH-01-000553-2026)

Shubham Mangilal Jadhav. Applicant.

-versus-

The State of Maharashtra. Respondent.

Order Below Exh.1

Accused has sought regular bail under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.29/2026 registered with Chalisgaon Road Police Station, Dhule for the offences punishable under Sections 137(2) of Bhartiya Nyaya Sanhita and section 8, 12 of Protection of Children from Sexual Offences Act, 2012.

2] Brief facts of the prosecution case are as under;

On 30/01/2026 informant/victim's mother lodged FIR that victim is her younger daughter. On 28/01/2026 at about 02:30 p.m. victim left her house under pretext of visiting the house of her grandmother. Thereafter she did not return home for long time. Therefore, her parents went to the house of victim's grandmother and inquired about her, to which she replied that victim did not come to them. Thereafter informant searched the victim at nearby places and at the house of their relatives, but she was not found. Thereafter informant filed complaint against unknown person under section 137(2) of B.N.S. at Chalisgaon road police station. Thereafter on 29/01/2026 victim and accused were brought to Chalisgaon road police station. Victim stated before police that, on 28/01/2026 accused made phone call to her and told her to come near railway

station and threatened to kill her parents if she would not come. Therefore on 02:30 p.m. victim went to the house of accused. He was alone there. He did wrong act with the victim. He moved hand over her breasts and over her person and tried to commit forcible sexual assault upon her, to which she refused. Thereafter victim along with accused went to Pune by bus. Accused took her to the house of his sister. He did wrong act with her there. They stayed there till 09:00 a.m. Thereafter accused brought her to Chalisgaon at about 07:00 p.m. Then accused took her to police station at Chalisgaon. On these allegations F.I.R. was lodged against accused and section 8, 12 of POCSO Act were added subsequently. Applicant was arrested on 30/01/2026 and since then he is in custody.

3] The State has opposed bail application on various grounds.

4] Ld. Advocate Shri. N. P. Mehta for the applicant submitted that, alleged victim was frustrated of her family members and she decided to commit suicide. Therefore on 28/01/2026 victim left her home on her own accord and came to applicant. Applicant took her to police station from where she was given in custody of her parents. The applicant has no criminal antecedents. The applicant is a student and doing daily work for his livelihood. He has no criminal antecedents. He is ready to abide by the conditions imposed by the Court.

5] Ld. APP Shri. G. Y. Patil has submitted that allegations against the accused are serious. The accused and victim belongs to

different communities. Charge sheet is not yet filed. It is submitted that, there are specific allegations against the applicant. Therefore he has prayed to reject this application.

6] Informant has appeared before the Court through advocate Shri. A. F. Shaikh. She has filed her say at Exh.8 and has strongly objected to grant the application.

7] On perusal of the documents filed by the State and considering the submissions made by the learned advocate for the applicant it appears that an offence punishable under section 137(2), of B.N.S. and section 8, 12 of POCSO Act has been registered against the applicant. The accused is arrested on 30/01/2026. It appears that substantial investigation is done. The statement of the victim by police and Ld. Magistrate is recorded. As per her own statement she has left the house of her father as accused thertend her and he committed bad act during their stay. The panchnamas are drawn, statement of other witnesses are recorded. There is no recovery or discovery at the instance of accused. The accused has no criminal antecedents and is a permanent resident of the locality, having roots in society. There is nothing on record to show that, if released on bail, the accused is likely to abscond or tamper with the prosecution witnesses. The custodial interrogation of the accused is no longer required. Considering the nature of allegations, stage of investigation and settled principle that bail is a rule and jail an exception, I am of the view that the applicant deserves to be released on bail, subject to appropriate conditions. Hence following order.

ORDER

- 1] The application is allowed.
- 2] The applicant Shubham Mangilal Jadhav, is released on bail in connection with Crime No.29/2026 registered with Chalisgaon road Police Station, for the offences punishable under Sections 137(2) of Bhartiya Nyaya Sanhita and section 8, 12 of Protection of Children from Sexual Offences Act, 2012, he be released on executing PR bond of Rs.25,000/- (Rs. Twenty five thousand only) with one local surety for the like amount on the following conditions :-
 - a) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.
 - b) Applicant shall not pressurize the prosecution witness and shall not tamper with the prosecution evidence.
 - c) Applicant shall not leave India without permission of the court.
 - d) The applicant shall not change his residential address without prior intimation to the Investigation Officer and to the Court.
- 3] A soft copy of this order be sent to accused Shubham Mangilal Jadhav, by e-mail through the Superintendent of Jail, Dhule in view of directions of Hon'ble Supreme Court in Suo Moto W. P. (Cri) No.4/2021 (SC) dated 03.01.2023.

Date:- 11.03.2026.

[Yasmin G. Deshmukh]
Addl. Sessions Judge, Dhule.

Certificate

I certify that the contents of this PDF file are word to word as per Original Judgment/order.

Name of the Steno : T.R.Pankhedkar.
Name of the Court : Court of District Judge-3 & Addl. Sessions Judge, Dhule.
PDF Uploading Date : 11-03-2026.

Sd/-...
Stenographer(Gr-I).