

MHND080003982026 	<u>CRIMINAL BAIL APPLICATION No. 73/2026</u> Gajanan @ Madhav S/o Baban Jadhav Vs. State of Maharashtra
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ORDER BELOW EXHIBIT-1

The present bail application is filed by the applicant under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for regular bail in connection with the C.R.No.104/2026 registered with Osmannagar Police Station under Sections 69, 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita-2023.

2. In short, the informant's case is that :-

As her relations with her husband are strained, she is residing with her parents. It is alleged that in the month of February alongwith her mother she had been to cut sugarcane, where she got acquainted with the applicant. It is alleged that she had been to Kakandi collect her payment and to go to her mother at Antargaon. She had been to Martala. It is alleged that there she met the applicant, who asked her as to where she was going. She told that she was going to Antargaon, the applicant said that he was also going to Antargaon and asked her to go with him. It is alleged that the applicant did not take her to Antargaon and said that he will marry her and asked her to go alongwith him to Hyderabad. It is alleged that on 16-02-2026 he took her to Secunderabad where they resided for 12 days and in that period the applicant kept physical relations with her. It is alleged that

thereafter the applicant without informing her left her. It is alleged that she came to her village with the help of labours. It is alleged that on 06-03-2026, she asked him about their marriage on which he said that he is already married and refused to marry her. On this sort of report the crime is registered.

3. The Investigating Officer through the learned APP has filed say vide Exh.04 and has resisted the application.

4. Notice was issued to the informant. She has appeared through her learned advocate and has filed her affidavit vide Exh. 06 and has resisted the application.

5. Heard both the sides and the learned advocate for the informant.

6. The learned advocate of the applicant submitted that the victim/ informant is a married woman, she knows that the applicant is a married man and on her own accord she has joined the company of the applicant and there was no question of misconception.

7. He submitted that there is delay in lodging the report. He submitted that the applicant is falsely implicated.

8. The learned advocate submitted that the applicant is arrested on 22-05-2026 and now he is in Magistrate custody. He submitted that the applicant was produced before the Judicial

Magistrate First Class, Loha with a prayer to remand the applicant in magistrate custody. He submitted that the investigation is almost complete, there are no antecedents against the applicant and the applicant is ready and willing to abide by the conditions which may be imposed on him.

9. On the other hand, the learned APP has strongly objected the application. She submitted that the applicant has established physical relations with the victim/ informant under the pretext of performing marriage with her. She submitted that the applicant took her to Secunderabad and left her there. She submitted that if the applicant is released on bail, he may tamper the prosecution case.

10. The learned advocate for the informant has supported submissions of the learned APP. He submitted that due to the physical relations the victim/informant has become pregnant and when she asked for marriage the applicant not only flatly refused, left her alone. He submitted that if the applicant is released on bail, he may tamper the prosecution evidence.

11. The victim / informant is pregnant. There are allegations that the victim/informant and the applicant had been to Secunderabad from where the applicant alone has returned and the victim/informant was left at Secunderabad.

12. Considering these facts, when the investigation is under progress, it will be unjust and improper to release the

applicant on bail at this stage. Hence following order is passed:-

ORDER

The application is rejected.

Date : 17.06.2026.

(M. N. Patil)
Addl. Sessions Judge,
Kandhar.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/order are same word to word, as per the original judgment/order.

Name of Stenographer	:-	A. P. Deshmukh
Court name	:-	Addl. Sessions Judge, Kandhar.
Date	:-	17.06.2026
Judgment signed by		
Presiding officer on	:-	17.06.2026
Judgment uploaded on	:-	17.06.2026

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