

MHNS100002062026



Cri. (Bail) Application No. 59/2026

[Niphad Police Stn. C.R. No.40/2026]

Swamil Balu Kurhade

Vs.

State of Maharashtra

Through Niphad Police Station

Order Below Exh.1

This is the application for regular bail filed by applicant /accused Swamil Balu Kurhade as per Section 483 of Bhartiya Nagarik Suraksha Sanhita in connection with C.R. No.40/2026 registered with Niphad Police Station for the offences punishable under Sections 78, 79, 115, 352, 351(2) of Bhartiya Nyay Sanhita and under Section 12 of The Protection of Children From Sexual Offence Act and under Section 3(1) (w)(i), 3(1)(w)(ii) and 3(2)(va) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, on the basis of FIR given by informant mother of minor victim girl.

2. It is case of the prosecution as per First Information Report that according to the informant, her minor victim daughter is of 13 years 8 months and taking education in 8th standard and used to attend classes and school. She is "Hindu Mahar" by caste. On 15.02.2026, due to Mahashivratri, she was doing cleaning work in Sangameshwar Mahadev Mandir, Niphad. At about 5-00 p.m., when she returned back, her minor victim daughter was cleaning the courtyard in front of their house and accused was found standing there and giving signals to the victim with hands and calling her near Amar Dham. Informant then went towards

accused and asked him reason of doing so and then accused threatened her by saying “ही तुमच्या बापाची गल्ली आहे का, मी कुठेही उभा राहीन. ” Thereafter, informant asked victim about the same and then victim disclosed that accused always tease her by hand signals, used to follow her when she used to attend coaching classes and when victim objected for the same, still accused did not change his behaviour. Again on 27.02.2026 at about 5-00 p.m. accused came in front of house of the informant and again threatened the informant, abused her, assaulted her and others and run away. Accordingly, F.I.R. is given.

3. According to the applicant / accused he is falsely implicated in the matter. According to him, he is a driver by profession and there is family dispute between his family and family of informant. According to him, false F.I.R. is given against him and he prayed to grant regular bail.

4. Present application is strongly opposed by Ld. A.P.P. by filing say at Exh.5. Original informant contested the application by filing say Exh.7.

5. Heard Ld. Advocate for applicant /accused, Ld. A.P.P and Ld. Advocate for original informant. Perused the investigation papers. Investigating Officer has deputed Police Inspector Shri. Gurav of Police Station Niphad to contest the application. Accordingly, he is present in the Court.

6. On going through the entire material, it is clear that offence is very serious in nature. There appears to be absolutely no reason for the informant to lodge false F.I.R. Victim is only 13 years of age and despite having knowledge of the same, accused is following her and teasing her by showing signals of hand. On objecting the same by the informant, accused went one step ahead and slapped the informant to create terror. There are

direct and clear allegations against the accused of repeated following of the minor victim and repeated teasing her by showing hand signals. Investigation is in progress. Accused is residing in the same lane that of informant and victim. If he is released on bail, he will pressurize them and other witnesses and investigation will be hampered. Therefore, the present application is pre-matured application. During the pendency of investigation, therefore, accused is not entitled to be released on bail. Therefore, following order.

ORDER

- 1) Application is rejected.
- 2) Inform concerned police station. So also inform the accused through Superintendent of concerned jail by sending soft copy of this order by e-mail.

Place : Niphad.

Date : 17.03.2026

Additional Sessions Judge,
Niphad.
& I/c Ad-hoc District Judge-1 &
Addl. Sessions Judge,
Niphad.