

MHPA010013532026



Deepak Sudhirrao Mudgelkar

VersusThe State of Maharashtra,
Through Nanalpeth Police Station

ORDER BELOW EXH.1
(Passed on 15.06.2026)

This is second application under Section 483 of BNSS for releasing applicant / accused **Deepak Sudhirrao Mudgelkar** on bail in **Crime No.224/2026** for offences punishable u/s 64(1), 74, 78, 296, 351(2) of BNS registered with Nanalpeth Police Station.

2. Heard learned Counsel for applicant/accused and learned APP for the State. Perused say of the victim. It is case of prosecution that victim/informant is woman aged 43 years. She is residing in rented room with her two children. Her husband is dead. She has got employment on compassionate ground due to death of her husband. She came to know accused during her official training. On 22/3/2026, she met accused in garden where he forced her to come with him, as he wanted to talk with her. He threatened to defame the informant and subjected her to sexual intercourse against her wish. On 2/4/2026, accused came to the house of informant and slapped on the door, asking her to come out of the house. Thereafter, informant has dial No.112 to call police. Police came to rescue her. As it was night time between 12.00 to 2.00 am she did not go to lodge report.

3. It is further case of prosecution that on the same day at 9.00 to 9.30 pm, the accused approached her house and started kicking on her door asking her to meet him and threatened to commit her murder. She made a phone call to police and therefore, he ran away.

Thus, to protect herself she has to lodge the report.

4. Learned counsel for applicant/accused argued that there was love affair between informant and accused. Victim is matured woman having two children. She and accused had intercourse with each other with consent and therefore, the alleged offence of rape cannot be attracted. Now, the investigation is completed and prosecution has filed charge-sheet. Therefore, on the ground of change of circumstance, applicant deserves to be released on bail. Applicant is in judicial custody from 4/4/2026. He is local resident and therefore, there is no likelihood of his abscond.

5. As per the reply of prosecution and argument of learned APP, accused has forcibly committed sexual intercourse with the victim against her will. The said fact cannot be determined at this stage. Though, charge-sheet is filed, that fact alone cannot be ground to release applicant on bail. If applicant is released on bail, he will pressurize the victim, will hamper and tamper prosecution evidence.

6. Considering rival contention of parties, it seems that love relationship between victim and accused turned in sour. Now, investigation is completed and the prosecution has filed charge-sheet. Applicant is in jail from 4/4/2026. He has no criminal antecedent. There is no likelihood to conclude the trial in near future. Offence levelled against accused is punishable with imprisonment up to ten years. In view of above facts, it is desirable to release accused on bail. Hence, I pass following order.

ORDER

1. Cri. Bail Application No.463/2026 is allowed as under.

2. Accused/applicant **Deepak Sudhirrao Mudgelkar** be released on bail in **Crime No.224/2026** for offences punishable u/s 64(1), 74, 78, 296, 351(2) of BNS registered with Nanalpeth Police Station; subject to conditions:

- i) Applicant shall execute a personal bond for a sum of Rs.1,00,000/- with one or more sureties in the like amount.
- ii) Applicant shall not tamper with any of the prosecution witnesses, directly or indirectly.
- iii) Applicant shall not misuse his liberty.
- iv) Applicant shall furnish his detail address with proof and mobile number to the investigation officer and the concerned court. In case applicant change his residence/address and mobile number, he shall furnish the same to the I.O and concerned court.
- v) Applicant shall furnish names, detail address with proof and mobile number of his three close/blood relatives.

3. Bail before learned trial court.

4. Inform to jail authority by email.

Date : 15/6/2026.



(N.P. Tribhuwan)
Addl. Sessions Judge-1,
Parbhani.

Arguments heard on	15.06.2026
Judgment/order delivered on	15.06.2026
Dictated on	15.06.2026
Typed on	15.06.2026
Checked and signed on	15.06.2026

CERTIFICATE

I affirm that the contents of this PDF file Judgment/order is same and as per the original Judgment/order.

Name of Stenographer : Ramesh Annasaheb Kagbatte
Name of the Court : Addl. Sessions Judge-1, Parbhani
Date of Judgment/order : 15.06.2026
Judgment/order signed on : 15.06.2026
Presiding Officer : N.P. Tribhuwan
Judgment/order uploaded on : 15.06.2026