

IN THE COURT OF SPECIAL & ADDITIONAL SESSIONS
JUDGE & DISTRICT JUDGE-8, PUNE.

CRIMINAL BAIL APPLICATION IN SESSIONS CASE
No.2/2026

(CNR No: MHPU01-020740-2025)

State Vs.

- 1) Krushna Kondiba Shimple
- 2) Navnath Limbaji Dugane

:Order below Exh.10:

(Dated 17th February, 2026)

The present application is filed by the applicant/accused No.Navnath Limbaji Dugane for temporarily bail in connection with C.R. No.4/2025 registered with Sahkar Nagar police station, for the offences punishable U/Ss.64,64(2) (f),70,351(2)(3),3(5) of the BNS, 2023.

Facts in short, the prosecution case is as follows -

2] It is alleged that the complainant is 25 years old. It is stated that the complainant is residing with her husband and son. Accused No.1-Krushna Kondiba Shimple is the son of cousin of maternal uncle of her husband. Accused No.1 was visiting her house sometime. Prior to four to five years there was quarrel between Yogesh Pitale and accused no.1. At that time, accused no.1 threatened him. Since then, whenever accused no.1 was coming to their house he was raising quarrel.

3] On 31/12/2024, her husband went for work. At about 11:55 p.m. accused no.1 and his maternal brother

(2)

accused No.2-Navnath Limbaji Dugane came to her house. Accused no.1 said that he has made phone call to her husband and he is coming to the house. Accused No.1 taken out her mobile from her.

4] On 01/01/2025 at about 12:10 a.m. accused no.1 demanded water from her suddenly accused no.2 switched off the lights. Accused no.2 caught her both hands, laid her in a kitchen, sat on her chest. Accused no.2 caught hold her mouth, accused no.1 and his friend poured liquor on her mouth and removed her saree. Accused no.1 established forceful physical relation with her. Thereafter, accused no.1 caught her hand and accused no.2 established forceful physical relation with her. Thereafter, again accused no.2 sat on her chest, caught her hands and again accused no.1 committed forceful physical relation with her. Thereafter, she lodged the complaint. On the basis of said complaint, the above mentioned crime has been registered against the accused Nos.1 & 2 respectively.

5] The applicant/accused no.2 in his application stated that on 20/02/2026 marriage of his niece it to be performed and his presence for this marriage is essential and necessary. Hence, prayed that he be released on temporarily bail. allowed.

6] The prosecution has filed reply stating that this applicant and co-accused entered into the house of the complainant and forcibly poured liquor in her mouth and established forceful physical relation with her. In case,

(3)

temporarily bail is granted then every possibility of absconding. There is no provision to release the accused on temporarily bail. Considering the nature of offence, the application be rejected.

7] Ld. Advocate for the applicant in her arguments submitted that the accused has fundamental right to remain present for the marriage of his niece. He is in jail. He has filed regular bail application. The family of the accused is joint family. The allegations are not proved. Hence, prayed that application be allowed.

8] The Ld. A.P.P. in his arguments submitted that the nature of the offence is serious. It is not a fundamental right of the accused but in case funeral ceremony is pending for the said accused should be kept of fundamental right. He has no fundamental right to claim temporarily bail as of right. Hence, prayed that application be rejected.

9] Perused application, say filed and also gone through the FIR. Upon perusal of the FIR, it appears that the complainant has stated the name of this applicant. Even in supplementary statement also name of this applicant has been mentioned. The role of this applicant is that he forcibly poured liquor on the mouth of the complainant and thereafter, established forceful physical relation with her. Role of accused no.2 also shows that he sat on the chest of the Victim Girl ABC, caught hold her hands and that time, accused no.1 established forceful physical relation with her and again accused no.1

(4)

established forceful physical relation with her. The allegations are serious in nature.

10] Further, the marriage is that of the niece of this applicant. In case the applicant is released on bail then there is every possibility of absconding. The applicant is permanent resident of Ambegaon, Taluka-Dharur, Dist. Beed. In case temporarily bail is granted then there is every possibility of threatening the complainant.

11] Considering the fact that there is possibility of absconding, in my opinion the temporarily bail should not be granted to the applicant. Hence, this application deserves to be rejected and I pass the following order:-

ORDER

Application is hereby rejected.

Date : 17.02.2026

(Sucheta M. Takalikar)
Special Judge &
Additional Sessions Judge, Pune.

(5)

Certificate

I affirm that the contents of this P.D.F. file order are same word for word as per original order.

Name of Steno. :- K.S. Chavan (Steno, Grade-I)

Court Name :- Sucheta M. Takalikar
D.J.-8 and Addl. Sessions Judge, Pune.

Date :- 17.02.2026
order signed by P.O. on :- 18.02.2026
order uploaded on :- 18.02.2026