



Special Case No. 2/2026
(CNR No. : MHPU01-020740-2025)

State of Maharashtra
Vs.
Krushna Shimple & Anr.

ORDER BELOW EXH. 12

1. This is successive application for regular bail filed by the applicant/accused **No.2 Navnath Limbaji Dugane** under Section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime No.**4/2025**, registered with Police Station, Sahkarnagar, Pune for the offence punishable under Sections 64, 64(2)(f), 70, 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023 (in short “BNS”).
2. The prosecution has filed say and opposed this bail application.
3. Heard learned advocate for the applicant/accused and Spl.PP for the State. Perused application, say filed by the Prosecution and police papers.

Brief facts of the Prosecution story :-

4. 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.

5. On 31/12/2024, her husband went for work. At about 11:55 p.m. accused No.1 and his maternal brother i.e. present 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.

6. On 01/01/2025 at about 12:10 a.m. accused No.1 demanded water from her, suddenly present 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 No.1 and 2 respectively.

7. It is argued by the learned advocate for the applicant that initially the complainant stated that there were three accused, then FIR was registered only accused No.1 and 2. Accused No.1 is maternal cousin brother of husband of complainant and accused No.2 is maternal cousin brother. There was dispute between complainant's husband and the present accused. There was extra marital affair between victim and accused No.1. Due to dispute between the husband of victim and accused No.1 and 2, they are

falsely implicated in this case. He further submitted that medical paperers are not supportive to the prosecution story. Investigating officer had recorded statements of only three witnesses i.e. complainant, her husband and mother-in-law of complainant. There is no independent witness in this case. One accused is already released by the Hon'ble High Court. The role of present accused and accused No.1 is similar, therefore, accused should be released on bail.

8. The learned Spl.PP has submitted that offence is serious. It is gang rape. Therefore considering serious nature of offence, accused should not be on bail.

9. I have gone through the charge-sheet. It seems that first two bail application of present applicant have been rejected on 14/07/2025 and 17/02/2026. The Hon'ble High Court has released the accused Krushna Shinde on bail. If the allegations made against accused No.1 and 2 are taken into consideration, it appears that there is same and similar role of the present accused. Victim is 25 years old and married. There is huge pendency of cases in this Court. Trial will take its own time. No purpose would be served by keeping the accused in jail. Accused is ready to abide terms and conditions of Court. Therefore, considering this fact, I am of the view that, accused should be released on bail by imposing some stringent terms and conditions. Accordingly, following order is passed.

ORDER

1. The application (Exh.12) is allowed.

2. The applicant/accused No. **2 Navnath Limbaji Dugane** shall be released on regular bail upon furnishing P.R. bond in the sum of **Rs.50,000/-** with surety in the like amount, on following conditions :

[i] The applicant shall not tamper with the prosecution evidence in any manner. He shall not pressurize the victim/informant and family members and witnesses and shall not indulge in any offence.

[ii] The applicant shall not contact with the victim and family members, in any manner.

[iii] The applicant shall submit his address proof and phone details as well as phone details of two close relatives to Investigating Officer.

[iv] The applicant shall not leave Maharashtra without prior permission of the Investigating Officer.

[v] Violation of any of the conditions imposed, shall amount the cancellation of bail forthwith.

3. The bail application is accordingly disposed of.

Pune.
Date : 24/03/2026.

[Kavita D. Shirbhate]
Special Judge (under POCSO Act) &
Additional Sessions Judge, Pune

