

MHPU330000342026 	Special case(POCSO) no. 6/2026 State of Maharashtra (Through Junnar Police Station) Vs. Rohit Ramdas Pawar
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ORDER BELOW EXH.3

(Passed on this 23rd February, 2026)

1- The applicant is seeking bail in Crime no. 368/2025 registered with the Junnar police station for offence punishable under Section 137(2), 64(2)(i), 87 of the Bharatiya Nyaya Sanhita and section 4, 6, 8 and 12 of the Protection of Children From Sexual Offences Act, 2012 (in short 'POCSO').

2- The case of the prosecution is that the victim is aged 15 years and 4 months and studying in 10th std. On 15/11/2025, the victim's grandfather dropped her at her school's hostel and returned home. On 17-11-2025, the informant received a call from the teachers at the hostel that the victim had not reported the hostel. On inquiry with the friends of the victim, they revealed that she had gone towards S.T. Depot. The informant and her family members tried to search for the victim, however, they could not find her and hence filed missing report. In the course of investigation, the victim was found with the accused at Panvel, Navi Mumbai and brought back to Junnar. The victim informed the police that the accused had established forcible physical relations with her despite her resistance.

3- Heard Ld. Advocate for the applicant and the Ld. A.P.P. and I.O. Perused the record and reply filed by the victim.

4- The statement of the victim reveals that after her grandfather left her at the hostel, she contacted the accused from the phone of the ice-cream vendor. Thereafter, she took lift from vehicle and went Narayangaon. From Narayangaon, she took S.T. bus and reached Chakan. From there, she again contacted the accused from a girl's mobile phone and informed him about her location. As per the victim, the accused picked her up from Chakan and they both went to visit various places. As per the victim, the accused assured to marry her. Since it was late in the night and the victim and accused were afraid of their parents, they went to Pune, Prayagraj ad Mumbai for 4 to 5 days. On 19/12/2025, the accused and victim came to Panvel and took one room on lease. Since then, they were residing together. During their stay, the accused is alleged to have force himself upon the victim despite her resistance.



5- From the bare perusal of the statement of the victim, it appears that she has willingly accompanied the accused at different places. She appears to be mature enough to take decision to skip her hostel and take various transport to reach Chakan. The statement of the victim also reveals that she was staying with the accused willingly and there was no force or threats to her by the accused. It appears that the victim and the accused were in consensual love relationship. The medical reports

reveal that there are no injury marks on the victim. There is no medical history narrated to the doctor. The charge-sheet is already filed. The accused is aged merely 21 years. The Hon'ble Bombay High Court in the case of **Jayesh V. Khandekar Vs. State of Maharashtra 2023 NCBHC – AS 35316**, held that despite the victim being a minor, considering her role, circumstances and conscious decisions in the incident, bail can be granted. In the said case, the girl was aged 16 years 3 months and the Hon'ble Bombay High Court held that the overall circumstances cannot be ignored while deciding bail application.

6- Considering the above settled position of law, a case for bail is made out. The Hon'ble Bombay High Court as well as the Hon'ble Apex Court have time and again held that refusal of bail cannot be by way of pre-trial punishment. However, considering the offences in the present case, some conditions ought to be imposed on the accused and hence, the following order-



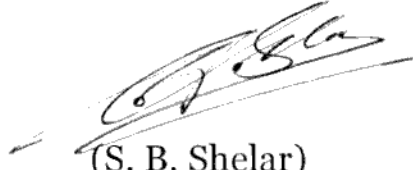
ORDER

1. Application Exh.3 for bail is allowed.
2. The applicant be enlarged on bail in Crime no. 368 of 2025 registered with Junnar Police station, on executing P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
3. The applicant shall attend the trial in person or through Advocate and cooperate in the same.
4. The applicant shall not tamper with the evidence or

attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. Inform concerned police station accordingly.
6. The copy of this order be sent to concerned Jail authority through E-mail.

(Dictated and pronounced in open Court.)



(S. B. Shelar)

Additional Sessions Judge, Junnar
Tal. Junnar, Dist. Pune

Junnar, Pune
Dt. : 23/02/2026