

CNR : MHPU330019352025 	State of Maharashtra (Through Otur Police Station) Vs. Shashank Sharad Joshi
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ORDER BELOW EXH.4
(Passed on this 10th June, 2025)

1- Applicant/accused is seeking the relief of regular bail for the offence punishable under Sections 64, 78, 333, 115, 351(2) of the Bharitya Nyaya Sanhita (in short B.N.S.).

2- The FIR was lodged by the victim alleging that she became acquainted with the applicant in year 2020 through social media : Facebook. They started chatting with each-other. Once the applicant called her to meet outside. Accordingly, the victim went to meet him near the dam on the road proceeding from Khubi, Tal. Junnar towards Khireswar. He took their photographs together. The victim further alleges that the applicant started blackmailing her by threatening that he would viral their pictures and also tell her husband that they are in relationship. In the month of December 2020, when her husband was outside, the applicant came to her house and under threats, established physical relations with her. He also threatened that if she would not cooperate, he will commit suicide. He also extend

threats to her relatives. In the month of March 2021 around 9.30 p.m. when she was alone at home, the applicant forcibly entered her house and assaulted her mercilessly. She was scared with his behavior and therefore reported the incident to the police. He was arrested on 2/12/2024. Since then he is in custody.

3- Learned Counsel Shri. A.B. Gandal, representing the applicant, has argued that the applicant has been implicated in the false case. His custodial interrogation is already over and nothing was recovered from his custody. He has no criminal antecedents. In fact, there was love-affair between the victim and the applicant. Her husband came to know about their relationship and so she got scared and filed false report against him. It is further argued that the investigation is already completed and charge-sheet is filed. He is ready and willing to abide by all the terms and conditions imposed by the Court. Hence he prays for bail.

4- The Ld. A.P.P. Shri. G.K. Khode appearing for the State has strongly opposed the application on the ground that if the accused is released on bail, the applicant will again contact with the victim and repetition of incident cannot be ruled out. The informant and the accused are residing adjacent to each-other. He further argued that filing of charge-sheet cannot be a ground of changed circumstances. He has committed serious offence. There is every possibility that if he is released on bail, he may tamper with the witnesses which would affect the prosecution case. Hence, he prayed for rejection of the application.

5- The victim has also filed her say on the same line as the learned APP and also prays for rejection of application.

6- After hearing the arguments of both sides and on perusal of the case papers, it appears that the informant and the accused were in love relationship. The photographs and the chats filed by the defence counsel on record substantiate their contention. Prima facie the relationship found to be consensual and therefore at this stage it cannot be said that there was any force from the side of applicant/accused. The victim is in understanding age and she knows the consequences of her act. The accused is in custody since 2/12/2024. The investigation is completed and charge-sheet is filed. Therefore, further detention of the accused is not required. Hence, I am inclined to grant bail to him on the following terms and conditions. Hence, the following order.

ORDER

1. Application (Exh.4) is allowed .
2. The applicant/accused – **Shashank Sharad Joshi** shall be released on bail on executing personal bond of Rs.20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount, on following conditions:
 - a- Applicant/accused shall not act in the manner injurious to the interest of the prosecution.
 - b- Applicant/accused shall maintain law and order and shall not pressurize the Informant/Complainant in any manner.

- c- Applicant/accused shall not tamper the evidence of prosecution in any manner.
 - d- Applicant/accused shall furnish the address of his residence, copy of Pan or Adhar card at the time of execution of bond and shall not change the residence without prior permission of this Court.
3. Soft-copy of this Order be sent to the Applicant through concerned Jail Superintendent.
 4. Inform the concerned Police Station accordingly.
(Dictated and pronounced in open Court.)

Junnar, Pune
Dt. : 10/6/2025

(Smt. S.S.Nair)
Additional Sessions Judge, Junnar.