

Spl. Case (POCSO) No.307/2025	
MHPU330026302025	State of Maharashtra (Through Otur Police Station)
	Vs. Tushar Kanhu Mundhe

ORDER BELOW EXH.4

(Passed on this 15th January, 2026)

1- The applicant is seeking bail in Crime no. 200/2024 registered with the Otur police station for offence punishable under Section 354(d), 354, 506, 341 of Indian Penal Code and Section 8 and 12 of the Protection of Children From Sexual Offences Act, 2012 (in short POCSO).

2- The case of the prosecution is that from January-2022 till victim was acquainted with the applicant. He used to follow her on his motorcycle, while going to school. He had caught her hand while proposing marriage to her. The applicant had also threatened her. However, she did not inform home about the accused. Thereafter, in May-2024, the accused had telephoned her uncle and sought the mobile number of her father. Her uncle discussed the said call with victim's father and thereafter, the victim narrated them about the accused. Hence, the offence came to be registered.

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

4- In the present case, the alleged incident is stated to have occurred in January 2022, at a time when the informant was studying in the 10th standard. It is alleged that the accused held her hand and proposed marriage to her. Significantly, for a period of more than two years thereafter, no grievance or complaint was raised by the informant, either before her parents or before the police authorities. There is absolutely no explanation forthcoming for the delay of nearly two years in lodging the FIR. Though the aspect of delay may be a matter for consideration during trial, at this stage it cannot be lost sight of the fact that there is delay of 2 years for lodging FIR.

5- The accused came to be arrested in December 2025, and the charge sheet has already been filed in the present case. The prosecution has contended that another case of similar nature is pending against the accused. However, it is well settled that the mere pendency of another criminal case cannot, by itself, be a sole ground to deny bail, if the applicant is otherwise entitled to be released on bail. Having regard to the nature of the allegations, the unexplained delay in lodging the FIR, and the fact that the charge sheet has been filed, this Court is of the considered view that a case for grant of bail is made out. The applicant cannot be detained in custody for a prolonged period as a measure of pre-trial punishment. Hence, the following order.

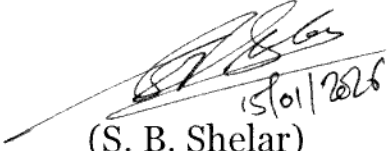
ORDER

1. Application Exh.4 is allowed.

2. The applicant namely **Tushar Bhau Mundhe** shall be released on bail in connection with Crime no. 200/2024 of Otur police station on executing P.R. and S.B. of Rs.25,000/-.
- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the present case.
- b. The applicant shall cooperate in speedy disposal of trial. He shall attend the trial either personally or through his Advocate on each date.
- c. The applicant shall not leave Maharashtra without prior permission of this Court.
- d. The applicant shall furnish his current address, mobile number and other contact details to the concerned police station. Further, he shall inform the concerned police station and this Court about change of address or contact details if any during the course of trial.
- e. The applicant shall not contact the victim, witnesses and her relatives directly or indirectly.
3. Inform concerned police station accordingly.
4. The copy of this order be sent to concerned Jail authority through E-mail.

(Dictated and pronounced in open Court.)

Junnar, Pune
Dt. : 15/01/2026


(S. B. Shelar)
Additional Sessions Judge, Junnar
Tal. Junnar, Dist. Pune