

**: ORDER BELOW EXH.1 IN CRI. MISC. APPLICATION NO.  
30/2026 :  
(CNR No. MHRG15-000140-2026)  
(Passed on 12.03.2026)**

1) This is an application seeking a pre-arrest bail, made by applicant **Akshay Anant Pawar**, concerning the offence punishable under section 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 and sections 4, 8 of the Protection of Children From Sexual Offences Act, 2012, in Crime No.24/2026 registered with Shriwardhan Police Station.

2) It is contended that the applicant does not have any relevance with the crime. There are no criminal antecedents against him. There is no other person except the applicant to take care of the survivor, who is pregnant of 05 months. They have now married. Nothing is to be recovered from the applicant. He is ready to abide by all the conditions. It is submitted to allow the application.

3) The Investigating Officer and the Ld. A.P.P. for the State, opposed the application by filing say (Exh.5). It is contended that the applicant aged 20 years having known that the survivor was minor, took disadvantage of the survivor and established forcible physical relations with her on 17.09.2025 and thereafter repeatedly. The applicant repeated those acts by promising of getting married to the survivor. However, he did not marry her and thereby cheated the survivor.

4) The application is opposed on the grounds that the offence is serious, and committed against a minor girl. The D.N.A. samples of the applicant, are to be obtained by getting him medically examined. On granting him the protection, he could pressurize the survivor and commit cognizable offence. An interrogation is to be made with the applicant. Hence, application may be rejected.

5) The survivor appeared and filed her say stating therein that they have got married in the month of January. She is pregnant and there is no one to take care of her, except the applicant. It is submitted to grant the application.

6) Heard both sides and perused the record. Ld. Advocate Mrs. Mohini Sheth for the applicant, and the Ld. A.P.P. Mr. R. A. Mahakal for the State, iterated the contentions made in the application and say, respectively.

7) Ld. Advocate for applicant would submit that neither the applicant nor the survivor have parents. There is no one to take care of the survivor, who is now wife of the applicant.

8) Ld. A.P.P. would submit that the offence is serious as was committed against the survivor, who is minor. It is submitted that interrogation is to be made, samples are to be got extracted. Hence, the application may be rejected.

9) It is seen that the applicant and the survivor are from

marginal section of the society. They have got married. However, the fact remains that there is *prima facie* material against the applicant in respect of his having physical relations with the minor.

10) Such type of offences have been on large scale in the society. Granting pre-arrest bail would not send proper message to the society in general and to like minded persons in particular.

11) There is *prima facie* material against the applicant. For interrogation and getting samples of the applicant extracted to a Medical Officer, custody of the applicant is necessary.

12) All in all, the application is liable to be rejected. Hence, the following order:-

**: ORDER :**

The application is rejected.

Mangaon.  
Date: 12.03.2026.

(S. T. Bhalerao)  
Additional Sessions Judge,  
Mangaon, Dist. Raigad.