


MHRG170006452025 	Special Case No. 85/2025 State of Maharashtra ... Prosecution Vs. Abdul Majjid Khan Deshmukh ... Accused
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ORDER BELOW EXH. 3

- 1] Accused moved this application for bail.
- 2] I.O. has filed say to this application and thereby strongly opposed the application.
- 3] Perused application, say thereon and documents produced on the record. Notice of this bail application was issued to complainant/victim. Accordingly, complainant and victim appeared at the time of hearing of the bail application. Heard both sides.
- 4] The applicant is charge-sheeted for the offences punishable under Section 64(1), 75, 351(3) of the Indian Penal Code and Section 4, 6, 8, 12 of the Protection Of Children From Sexual Offences Act, 2012 (POCSO Act).
- 5] Ld. Advocate for applicant submitted that allegations against the applicant are false. The applicant is innocent and falsely implicated in the present offence. Now, the charge-sheet has been filed. Investigation in all respect is completed. The FIR is false. The informant forcibly took the minor daughter of the applicant out of his house. Only after

access to child was granted by the Hon'ble Bombay High Court in Cri. Writ Petition No. 585/2025, the informant lodged false FIR against the applicant. Applicant is ready to obey any conditions to be imposed by the Court.

6] Ld. Addl. P. P. Smt. Madhuri Thalkar submitted that though charge-sheet is filed, considering the nature and gravity of the offence it is not proper to release applicant on bail. If applicant is released on bail, there is possibility of the pressurizing the victim and prosecution witnesses. Hence, prosecution prayed for rejection of bail.

7] Perused application, say and record of the case. It appears that applicant is the second husband of the informant. Her first husband died in the year 2011. From the first marriage the informant has two daughters 'A' and 'B'. After demise of informant's husband she got married with applicant. From the second marriage with the applicant, the informant begotten one daughter 'C'. As the informant was doing job she kept her both daughters of first marriage in shelter home. However, after marriage with the applicant informant insisted for bringing her daughters, hence there was dispute between the applicant and the informant. In February 2022, informant and applicant obtained divorce. After divorce the applicant used to come the informant's house for visiting his daughter 'C'. He used to go out with daughter 'C'. He used to drink alcohol and was doing party with his friend in the presence of daughter.

In May 2024, the informant took daughter 'C' from applicant. At that time, both the daughters 'A' and 'B' of the informant told that the applicant was looking towards them with sexual intent. Therefore, the informant asked applicant but he threatened the informant and abused the informant in filthy language. He also sent vulgar message about the daughters 'A' and 'B' of the informant on whats-app. The informant lodged various N.C. against the applicant in various police station. On 05/02/2025 both the daughters 'A' and 'B' of informant explained her how the applicant was sexually harassing them whenever he came for visiting the daughter 'C'. One day the applicant came at home when informant was not present. He took the daughter 'A' in bedroom. He removed her clothes and tried to put his private part into private part of the daughter 'A'. At that time someone knocked the door. The applicant threatened the daughters not to disclose anybody otherwise he would send her mother in jail. Therefore, the informant lodged complaint against the applicant.

8] It appears that, the informant and the applicant obtained divorce. She is staying with minor daughters. Though, the charge-sheet is filed, considering nature and gravity of the offence it is not proper to release applicant on bail. The applicant has criminal antecedent. There is strong apprehension that if the applicant is released on bail there is possibility of pressurizing the informant and daughters.

Offence is serious in nature. Hence, I am not inclined to grant this bail application. Therefore, I proceed to pass following order.

:: ORDER ::

1. Application (Exh.3) is rejected.
2. Inform the concerned police station and jail authority, accordingly.

**Panvel,
Dated:- 23/06/2025**

**(S.R. Chavan)
Addl. Sessions Judge,
Panvel -Raigad**