



**IN THE COURT OF SPECIAL JUDGE
AT PANVEL, DISTRICT- RAIGAD**

SPECIAL CASE NO.113/2025

The State of Maharashtra

--- Prosecution

Vs.

Bablu Chokharam Chavariya

--- Accused

Corum - Santosh C. Shinde

Date – 16th April 2026

Appearance-

Ld. advocate Mr. Dipesh Patil for the accused

Ld. Spl. P. P. Smt. Wade for the State of Maharashtra.

Order below exh.3

1. Heard Ld. advocate Mr. Dipesh Patil for accused & Ld. Spl. P. P. Smt. Wade for the State.
2. Notice was issued to victim & State of Maharashtra. Say is filed overleaf the application & application is strongly objected.
3. Perused record.
4. FIR is registered by father victim. At the time of incident, victim was 15 years old. FIR shows that on 14th March 2025, informant & victim had to go somewhere therefore, both had come on Panvel Railway Station. Informant had gone to

bought ticket therefore, victim was waiting near the canteen on platform No.3. When informant returned, victim was not found there therefore, he made phone call to his wife & relatives but they told that victim is not with them. As victim was missing, complaint for kidnapping was lodged.

5. During investigation of that complaint, it was revealed that present applicant had taken victim at Jodhpur, Rajasthan therefore, police team went there and brought them back. Thereafter, additional sections of the BNS, 2023 & POCSO Act have been added.
6. Ld. advocate for accused submitted that no offence is committed by accused and he is falsely implicated. Victim & accused were in love and victim had joined company of accused. Now, charge-sheet is filed and no recovery is pending therefore, further custody is not required. Accused is ready to abide by any condition.
7. Ld. Spl. P. P submitted that offence is serious in nature and there is sufficient evidence against accused. If he is released on bail then he may tamper the evidence and threaten the witnesses.
8. Record shows that as victim was missing from Panvel Railway Station, complaint of kidnapping was registered. During investigation of that complaint, it was revealed that on Panvel Railway Station, accused met victim and both by bus had gone at Pune. From Pune they had gone to Nagpur and by train, they had gone at Ahmedabad. From

Ahmedabad by train, they had gone to Jodhpur where both had stayed in the house of friend of accused.

9. In statement victim, she has stated that before 8 to 9 months of the incident, she got acquainted with accused and both were talking on phone. On 14th March 2025, she had informed to accused that she travelling with informant. Accused had told her that he is going to Rajasthan. Accused met her on Panvel Railway Station and both had gone to Jodhpur, Rajasthan via Pune, Nagpur & Ahmedabad. As per victim, during journey and in the house of friend of the accused both had sexual contact.
10. If photographs of victim & accused found in mobile phone of accused are considered then photographs are self-explanatory about relationship between victim & accused.
11. If statement of victim is considered then it becomes clear that accused was familiar to her and she joined company of accused from Panvel Railway Station. During her journey, she has not made any complaint about kidnapping or forcible sexual intercourse. If age of victim is considered then she is minor. Now doubt, her consent is immaterial but if her age is considered then she has sufficient understanding and she knows imports of her acts.
12. In present case accused was arrested on 21/03/2025 and since then he is behind bars. Now, charge-sheet is filed and no recovery or discovery is pending. Bail is rule and jail is exception. Object of bail cannot be ignored. Bail cannot be withheld as punishment.

13. It will take time to commence & conclude the trial therefore it would not be proper to keep accused behind bars for indefinite period otherwise it will amount to pre-trial conviction. Accused can be released on bail by imposing certain conditions. As a result, I pass the following order.

ORDER

1. Application is allowed.
2. Accused Bablu Chokharam Chavariya be released on bail on furnishing P.B. & S.B. of Rs.20,000/- (Rupees Twenty Thousand) with one or two sureties in like amount in crime No.44/2025 registered at Panvel Railway Police Station, Navi Mumbai for offences punishable u/s.137(2), 64(2) (th), 65(1) of the BNS, 2023, u/s.4, & 8 of the POCSO Act, if he is not required in any other offence.
3. Accused by any mode of communication shall not contact to victim or her family members and till further orders, he shall not enter the area where victim & her family members ordinarily reside or works for gain.
4. Accused shall not, directly & indirectly, make any inducement, threat or promise to any person acquainted with facts & circumstances of case so as to dissuade him from disclosing such facts to the police & Court.
5. Accused shall not leave India without previous permission of the Trial Court.
6. Accused shall furnish his permanent & temporary residential proof, valid e-mail ID and mobile number.

7. Registry is directed to inform accused about this order by e-mail.

(Application is disposed of accordingly)

Panvel
Date - 16/04/2026

(Mr. S. C. Shinde)
Special Judge, Panvel
Dist.-Raigad