

MHRG170021162025



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

SPECIAL CASE NO.253/2025

The State of Maharashtra --- Prosecution

Vs.

Rajesh Ramabhilash Pal --- Accused

Corum - Santosh C. Shinde

Date - 26th February 2026

Appearance-

Ld. advocate Mr. Arun Mokal for the accused.

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

Informant in person.

Order Below Exh.5

1. Heard Ld. advocate Mr. Arun Mokal for the accused. Ld. Spl. P. P Smt. Thalkar for the State.
2. Application is filed for granting regular bail.
3. Notice was issued to victim & State of Maharashtra. Say is filed at exh.6 and application is strongly objected.
4. Perused charge-sheet & record.
5. FIR is registered by father of victim. Accused is the watchman of the building in which informant & victim are residing. FIR

shows that on 27th September 2025 wife of informant told him on phone that when victim with her friends was playing hide & seek in the premises of the society, accused put his hand in T-shirt of victim therefore, she is scared & crying. When informant came home, he & his wife asked for answers to accused and accused said that he has done nothing and tried to ran away from the spot. Thereafter, FIR is registered.

6. Ld. advocate for accused submitted that section 74 of the BNS and section 12 of the POCSO Act is the invoked against the accused and for that offence, punishment is not more than 3 years. Accused is ready to abide by any conditions. He is watchman and bread winner of the family. Investigation is completed. Further custody is not required.
7. Ld. Spl. P. P submitted that considering the nature of allegations stringent conditions be imposed against the accused.
8. If allegations against the accused are considered then it is alleged that on 27th September 2025 at about 8:30 PM when victim with her friends was playing in the premises of the society, accused put his hand in her T-shirt and committed sexual harassment. There are no allegations about penetrative sexual assault.
9. If punishment provided for invoked sections is considered then punishment is not imprisonment for life or death. Now, charge-sheet is filed. No recovery or discovery is to be made. Bail is rule and jail is exception. Object of bail cannot be ignored. Bail cannot be withheld as punishment.

10. 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 Rajesh Ramabhilash Pal be released on furnishing P.B & S.B of Rs.15,000/- (Rupees Fifteen Thousand) with one or two sureties in like amount in crime No.88/2025 registered at Ulwe Police Station, Navi Mumbai for offences punishable u/s.74 of the BNS, 2023 & u/s.12 of the POCSO Act, 2012, 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 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. Breach of any condition shall be ground for cancellation of bail.
8. Registry is directed to inform accused about this order by e-mail.

(Application is disposed of accordingly)

Panvel
Date - 26/02/2026

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