

COMMON ORDER BELOW Exh. 1 IN SPL.(C) CRI.M.A.NO. 38/2014 AND 332/2014.

These two applications are filed by the accused for their release on bail with the contention that there was love affair between the alleged victim girl and Nagesh Awale, son of the applicant in MA No. 38/2014 and there were affair between them since long and no role can be attributed to these applicants as abettor or otherwise. Hence they both needs to be released on bail.

2] Spl. Public Prosecutor for the State opposed the application contending that the offence is serious one and investigation is in progress.

3] In this case the applicant in first application was arrested on 18.1.2014, whereas the applicant in second application was arrested on 22.1.2014 by Vishrantwadi police. Main perpetrator as per the prosecution case is the son of one of this applicant. Only because he is his father or the nature applicant is his friend, unless there is something, it cannot be inferred that they instigated or abetted the commission of the offence by Nagesh Awale and when they are arrested and behind bars since more than a week or two, they can be released on bail on some conditions. Hence following order.

ORDER

1] Both the applications are allowed.

2] Applicant in Spl. MA No. 38/14 Madhukar Bapurao Aawale and applicant in SPL MA No.332/14- Bharat Chabu Choudhari are released on bail, on their furnishing solvent surety for Rs. 15,000/- each and their own bonds in the like amount.

3] Both the applicants are hereby directed that they shall not contact the victim girl or the witnesses and shall not tamper

with the prosecution evidence in any manner.

Pune,

Dated/- 03-02-2014.

(S. D. Darne)
Special Judge, Pune (Under Protection of
Children from Sexual Offences Act, 2012)

"I affirm that the contents of this PDF file
Judgment are same word for word as per original Judgment. Name of
Steno : Shri. V. V. Bannur, PA. Court Name : Shri. S. D. Darne,
District Judge,01, Pune. Judgment Signed by P.O. on : 3-2-14
Judgment uploaded on :- 14-2-2014 Date of PDF file : 14-2-14.