

CNRMHPU010076142026



Cri. Bail Application No.3537/2026

Deepak Babulal Agarwal.

V/s

State of Maharashtra

(Through Warje Malwadi Police Station)

(A) CASE DETAILS

FIR Number & Date	188/2026, dtd.28.05.2026
Police Station, District and State	Warje Malwadi Police Station , Taluka Haveli, Dist. Pune
Sections invoked	Secs. 74, 75(2) of Bhartiya Nyaya Sanhita 2023 and 8, 9(m), 10 of the Protection of Children from Sexual Offences Act-2012.
Maximum punishment prescribed	Upto 07 years

(B) CUSTODY AND PROCEDURAL COMPLIANCE

Date of Arrest	28.05.2026
Total period of custody undergone	Two months and seven days.

(C) STATUS OF TRIAL

Stage of proceedings	Final Report yet to be submitted
Total number of witnesses cited in the charge-sheet	NIL
Number of prosecution witnesses examined	NIL

(D) CRIMINAL ANTECEDENTS

FIR Number and Police Station	Not furnished
Sections	Not furnished
Status	Not provided

(E) PREVIOUS BAIL APPLICATIONS

Court	Information not provided
Case No.	Information not provided
Outcome of case	Information not provided

(F) COERCIVE PROCESSES

Whether any Non-bailable Warrant was issued	NIL
Whether declared a proclaimed offender	NIL

ORDER BELOW EXH.01
(Passed on 4th day of August , 2026)

01] The present bail application has been preferred by the applicant/accused for the relief of liberty under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with the crime vide C. R. No.188/2026 dated 28.05.2026 registered with Warje Malwadi Police Station, for commission of crime under Sections Secs. 74, 75(2) of Bhartiya Nyaya Sanhita 2023 and 8, 9(m), 10 of the Protection of Children from Sexual Offences Act-2012.

02] The respondent/State and informant have vehemently opposed to the bail plea of the applicant by filing their written say/objection at Exh.05 and Exh. 09.

03] Having heard to the rival parties and considered their raised submissions, contentions, record, material availed, prima-facie it inclined in impugned crime the applicant alone is involved. Against him the informant who biological mother of child victim of 10 years old has raised the allegations that the applicant is owner of grocery shop. His shop in their vicinity. On 28.05.2026 at 4.30 p.m. the child victim had been to the shop of applicant for purchasing milk. She had took a mobile handset with her for making online payment for the said milk. At that time the applicant has called to the child victim inside of his shop and alleged touched on her back and chest with sexual intention. The child victim was frightened due to alleged incident occurred with her. She has immediately narrated the crime committed by applicant with her to her mother informant. Thereupon the informant immediately went in shop of applicant and asked explanation thereof. Thereby the applicant has expressed his apology for commission of alleged act with child victim. The said fact narrated by informant to the owner of her rental premises as

well as her husband, thereby immediately lodged police report and registered impugned crime.

04] The applicant has denied the entire allegation grievance raised against him. He just came with the case that the mother of child victim was not intending to pay the amount of purchased milk, thereby he raised objection, on that account by anger raised impugned crime against him. He never committed the impugned crime. He is 58 years old and no any criminal antecedents raised against him. He is arrested immediately after raising impugned crime. He is ready to abide every saddled condition. He has also raised general grounds.

05] Per contra, the respondent and informant have vehemently opposed to the bail plea of applicant by raising objection that he has committed serious crime of 10 years old child victim by calling her in his grocery shop and with sexual intent committed the alleged act, which was immediately disclosed and narrated by child victim to her mother and impugned crime raised. Such allegations are certainly serious in nature cognizable appreciable in view of occurrence of serious in nature crime with 10 year old female child. The investigating is yet to completed and charge-sheet is not filed. The applicant and victim are residing in the same vicinity, thereby every possibility is there for tampering hampering prosecution evidence and witnesses. They also raised general objections.

06] In the above such circumstance cautiously considered the rival submissions contentions, record material availed would revealed that against the applicant alleged that he is owner of grocery shop and on 28.05.2026 at afternoon hour he has called to child victim in inner side of is shop and allegedly thereat badly touched to back and chest of child victim who is 10 years old. It is also alleged that at that time the child

victim had went in the shop of applicant for purchasing milk. The applicant submitted that the mother of child victim was intended to have the milk by availing credit for the same, for which she has denied. Therefore, by anger she has raised false crime against him. Considering the same, prima-facie it transpired the informant has immediately raised the impugned crime after occurrence of alleged incident with her daughter. The record shows the applicant is immediately arrested i.e. on 28.05.2026. Thereby certainly concerned relevant material facts, circumstances allegations, grievance certainly would investigated. However, charge sheet is yet not filed. Considering the nature of levelled allegations seriousness, gravity of crime objections of respondent and informant which is concerned with strong possibility of tampering and hampering prosecution evidence and witnesses, thereby I felt by saddling stringent conditions would appropriate to have liberty sought by the applicant. Thereby certainly the purpose of objection raised by them would suffice. With this pass the following order :

ORDER

1.	The present Bail Application No.3537/2026 is hereby allowed subject to following conditions by the applicant-
2.	The applicant/accused <u>Deepak Babulal Agarwal</u> be released on a P. R. bond of Rs.50,000/- (Rupees Fifty Thousand only) and furnish a solvent surety in the like amount in connection with the crime vide C. R. No.188/2026 dated 28.05.2026 registered with Warje Malwadi Police Station, for commission of crime under Sections 74, 75(2) of Bhartiya Nyaya Sanhita 2023 and 8, 9(m), 10 of The Protection of Children from Sexual Offences Act-2012
3.	The applicant shall attend the Investigating Officer and concern Warje Malwadi Police Station on every Monday in between 11.00 a.m. to 05.00 p.m. until filing of charge-sheet without fail.
4.	The applicant shall attend the every date of trial without fail.

5.	The applicant shall not tamper or hamper the prosecution witnesses and evidence by any manner. He shall not contact to informant or victim or any of the witness of impugned crime by any manner in view of tampering, pressurizing to any witness.
6.	The applicant shall not indulged in any criminal activity or similar in nature's crime.
7.	The applicant shall submit proper considerable residential proof of address of him and his two relatives along with their cell numbers with the Investigating Officer/Warje Malwadi Police Station, Pune in view of his contact in future.
8.	Accordingly inform to the Investigating Officer/ Warje Malwadi Police Station, Pune by sending copy of this order.
9.	The present Bail Application No.3537/2026 stands disposed off accordingly.

Dictated and pronounced in open Court.

Place : Pune.
Date : 04.08.2026.

(S. M. Tapkire)
Special Judge, Pune

CERTIFICATE

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

Name of Steno	Smt. S.V. Hirve Stenographer Grade I
Name of Court	S. M. Tapkire District Judge- 6, Addl. Sessions Judge, Pune.
Date of Order	04.08.2026
Order signed by PO on	04.08.2026
Order uploaded on	04.08.2026