

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2428 OF 2015

Hemant s/o Bapu Patil

.... **APPLICANT**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. Joydeep Chatterji, Advocate for Applicant.

Mr. A.S.Shinde, A.P.P. for Resp. - State.

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CORAM : V.M.DESHPANDE, J.

DATE : 30th JUNE, 2015

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PER COURT :

1. This is an application for anticipatory bail, since the applicant is apprehending his arrest in connection with Crime No. 216/2013 registered with Parola police station, Dist. Jalgaon, for the offences punishable u/s 376,420,395,406,363,366,120-B,504,506 read with 34 of the Indian Penal Code and u/s 3(A),4,5 (i) and 6 of Protection of Child from Sexual Offences Act.

2. Heard Mr. Joydeep Chatterji, learned counsel for the applicant and Mr. A.S.Shinde, learned A.P.P. for Respondent - State.

3. On 23/06/2015, statement was made before this Court by the learned counsel for the applicant that the applicant has already married with the prosecutrix. When this statement was made, Investigating officer was present in the Court. Therefore, learned A.P.P. took one week time in order to enable the Investigating Officer to verify the said statement made by the learned counsel.

4. Today when the matter was called, learned A.P.P., upon instructions from the Investigating Officer, submits that the statement made by the learned counsel for the applicant on 23/06/2015 to the effect that the marriage between the applicant is solemnized with the prosecutrix is in conformity with the fact. Statement accepted.

5. Thus, the applicant is already married with the prosecutrix. In that view of the matter, to meet the ends of justice and to give full stop to every litigation, it will be essential to exercise the discretion in favour of the applicant. That leads me to pass the following order.

(i) Present Criminal Application is allowed.

(ii) In the event of arrest in connection with Crime No. 216/2013 registered with Parola police station, Dist. Jalgaon, for the offences punishable u/s 376,420,395,406, 363,366,120-B,504,506 read with 34 of

the Indian Penal Code and u/s 3(A),4,5 (i) and 6 of Protection of Child from Sexual Offences Act, applicant Hemant s/o Bapu Patil be released on anticipatory bail on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount.

- (iii) Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]