

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

CRIMINAL APPLICATION NO. 3596 OF 2015

Dilip s/o Ganesh Padvi

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. C.R.Deshpande, Advocate for Applicant.

Mr. V.H.Dighe, A.P.P. for Resp. – State.

.....

CORAM : V.M.DESHPANDE, J.

DATE : 24th JULY, 2015

.....

PER COURT :

1. This is an application for grant of bail. Applicant is arrested in connection with Crime No. 70/2015 registered with Nawapur police station, District Nandurbar for the offences punishable u/s 376(1),366,323,506 of the Indian Penal Code.

2. Heard Mr. C.R.Deshpande, learned counsel for the applicant and Mr. V.H.Dighe, learned A.P.P. for respondent – State.

3. Prosecutrix is major. Even from the F.I.R. and

even from her statement recorded u/s 164 of the Code of Criminal Procedure, it is clear that the prosecutrix was having long standing love affair with the applicant. Her statement also reveals that she was knowing that the applicant is already a married person.

4. Though the charge sheet is not filed, learned A.P.P. submitted that the entire investigation is over and only the formality of filing of charge sheet remain to be done.

5. Looking to the fact that the prosecutrix was major and was having long standing love affair with the applicant and that she was knowing that the applicant is a married person, further custodial presence of the applicant is not warranted. That leads me to pass the following order.

- (i) Present Criminal Application is hereby allowed.
- (ii) Applicant Dilip s/o Ganesh Padvi be released on bail in connection with Crime No. 70/2015 registered with Nawapur police station, District Nandurbar for the offences punishable u/s 376(1), 366, 323, 506 of the Indian Penal Code on he executing P.R. Bond of Rs. 10,000/- [Rupees Ten Thousand] with one solvent surety of like amount. Bail before the trial Court.

- (iii) With these observations, Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]

KNP/Cr.Apln. 3596.2015