

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (ABA) NO.221/2015**

(Chandrakant s/o Tejbahadur Manthanwar ..vs.. State of Maharashtra, through PSO P. S. Nandanwan, Nagpur)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Mr. Shashibhushan Wahane, Advocate for applicant.  
Mr. Khan, A.P.P. for non applicant-State.  
Mr. Y. B. Mandpe, Advocate for intervenor.

**CORAM : A.B. CHAUDHARI, J.**

**DATE : JUNE 19, 2015.**

Heard learned counsel for rival parties.

This court had made an order on 06.05.2015 granting ad interim anticipatory bail to the applicant. Today, the matter has come for final disposal. Mr. Mandpe, learned counsel appears for complainant. Mr. Mandpe opposed the application and submitted that the offence is of serious nature and the protection should not be extended.

I have heard learned counsel for the rival parties. The applicant is on anticipatory since 06.05.2015. It appears from the allegations in the FIR lodged after 42 days that the applicant had allegedly used force on the neck and mouth of the complainant and taken her to another room. The complainant is aged about 40 years and if there was resistance, the medical report does not at all support her version. Rather, on all points including rape, the

report is in the negative. There is no sound explanation for such a long delay in lodging the FIR. Then the complainant was working in the office of applicant for last 12 long years and had no such grievance. The statements of other employees also do not support the complainant.

In that view of the matter, I think, the applicant also will have to join the investigation.

In the circumstances, I pass the following order.

**ORDER**

- (i) Criminal Application No.221/2015 is allowed.
- (ii) Interim order made by this Court on 06.05.2015 shall continue to operate till trial is over.
- (iii) The applicant shall attend the Police Station, Nandanwan either everyday or as and when directed by the Police Station Officer for further investigation.
- (iv) The Investigating Officer shall complete the investigation within a period of four weeks from today and shall then file the final report.

**JUDGE**