

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

**CRIMINAL APPLICATION (ABA) NO.510 OF 2015**

Sumant S/o Dadarao Pachghare

..VS..

State of Mah., thr PSO, Police Station Frezarpura, Amravati, Tahsil and District Amravati

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

Court's or Judge's Order

Shri J.Y. Ghurde, counsel for the applicant.  
Mrs. M.H. Deshmukh, Addl.P.P. for the NA/State.

**CORAM : V.M. DESHPANDE, J.**

**DATED : OCTOBER 27, 2015.**

**Heard.**

By the present application under Section 438 of the Code of Criminal Procedure, the applicant is seeking the relief of pre-arrest bail since the applicant is apprehending their arrest in connection with Crime No.350 of 2015 registered with Police Station Officer, Police Station Frezarpura, District Amravati for the offences punishable under Sections 376 of the Indian Penal Code and Section 3(i)(xii) and 3(2)(v) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The report is lodged on 30.8.2015 at the instance of the prosecutrix having 29 years of her age.

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From the report itself it is clear that the present applicant was having love affairs with the prosecutrix. Their love affairs were in existence since year 2001. Since last fourteen years, they were in love. According to the prosecutrix, on the pretext of promise of marriage given by the present applicant, the present applicant has established sexual relationship with the prosecutrix and ultimately the applicant has turned around.

Looking to the aforesaid nature of accusations made against the present applicant, in my view, the custodial presence of the applicant is not necessary. However, the apprehension of the prosecution can be taken care of till filing of the charge-sheet. That leads me to pass the following order :

### **ORDER**

1] The criminal application for grant of anticipatory bail is allowed.

2] In the event of arrest of the applicant in connection with Crime No.350 of 2015 registered with Police Station Officer, Police Station Frezarpura, District Amravati for the

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offences punishable under Sections 376 of the Indian Penal Code and Section 3(i)(xii) and 3(2)(v) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, applicant – Sumant S/o Dadarao Pachghare be released on bail on his executing Personal Bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.

3] The applicant shall attend the Frezarpura Police Station, District Amravati on 5.11.2015. On this date, the applicant shall remain with the investigating officer between 10:00 am to 5:00 pm and shall extend his full co-operation to the investigating officer.

4] The applicant shall attend the concerned Police Station, as and when he is called upon by the Investigating Officer. However, for that the investigating officer shall give a clear cut 48 hour written communication to the applicant.

5] The applicant is prohibited from extending

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any threat whatsoever in nature to the prosecutrix.

With these directions and observations, the criminal application is allowed and disposed in aforesaid terms.

**JUDGE**

**!! BRW !!**

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