

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

CRIMINAL APPLICATION NO.130/2014

(Smt. Trupti Mahesh Kale ..vs.. Narayan Gopal Barhate and anr.)

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

Court's or Judge's orders.

Mr. C. S. Dharmadhikari, Advocate for applicant.
Mr. R. M. Daga, Advocate for non applicant no.1.
Mr. Khan, A.P.P. for non applicant-State.

CORAM : A.B. CHAUDHARI, J.

DATE : JUNE 19, 2015.

Heard.

Perused the statement under section 164 of the Cr. P. C. as well as FIR lodged by mother of the prosecutrix. Learned counsel for the applicant contended that the offence falls under Section 375 (b) of the Indian Penal Code. He further relied on the judgment in **Kanwar Singh Meena ..vs.. State of Rajasthan and others; (2012) 12 SCC 180.**

Careful reading of the FIR as well statement under Section 164 of the Cr. P. C. does not show satisfaction of ingredients spoken of in Section 375(b) of the IPC. I, therefore, do not find any error on merits of the order passed by the trial Court, granting bail. That apart, non applicant no.1 has been on bail for long period and, therefore, following order would sub serve the interest of justice.

ORDER

(i) Criminal Application No.130/2014 is rejected. However, the trial is expedited. The trial Court shall grant protection to the prosecutrix as well as her mother and the trial shall be held in camera. The trial Court shall complete the trial within six months from the date of receipt this order.

JUDGE

kahale