

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1238 OF 2016

1] Raju @ Rajendra Raghunath Pote,
Age : 40 years, Occu.: Agril.,

2] Balu @ Balasaheb Kachru Langhe,
Age : 33 years, Occu.: Agril.,

3] Vithal Bhaurao Gadekar,
Age : 25 years, Occu.: Agril.,

All R/o Shirasgaon,
Tq. Newasa, Dist. Ahmednagar

.. Applicants

Vs.

The State of Maharashtra
Through Police Inspector,
Newasa Police Station,
Dist. Ahmednagar

.. Respondent

Mr. N.P. Ghanwat, Advocate h/f Mr. K.B. Autade, Advocate for
the applicants
Mr. A.R. Borulkar, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 14/03/2016

ORAL ORDER :

Heard both sides.

2. The present applicants, who are apprehending arrest at the hands of Newasa Police Station, Dist. Ahmednagar in crime no. 30 of 2016 for the offences punishable under section 376, 420 r/w. 34 of the Indian

Penal Code and under section 3(1)(xii) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, are praying for their release on bail, in the event of their arrest.

3. The complaint of the victim of the offence would show that the principal accused had promised her to have a marriage with him and, thereafter, both of them resided together for a period of three months. The complainant alleged that during those three months, she was forcibly subjected to rape. Thereafter, there was a settlement between the parties in which the principal accused promised her to pay an amount of Rs.10 Lakhs.

. At the time of compromise, the present applicants were present. Thereafter, an amount of Rs.5 Lakhs was paid, however some unknown person had looted the said amount by entering into the car, whereby the complainant/victim and the principal accused were proceeding. In the circumstances, the complaint came to be filed.

4. Upon hearing both sides and considering the alleged role played by the present applicants, in my

view, their custodial interrogation is not required.

In the circumstances, the following order:-

5. Interim protection granted to the applicants by this Court vide order dated 26/02/2016 is therefore made absolute on the same terms and conditions.

6. Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/