

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

CRIMINAL APPLICATION (ABA) NO. 443 OF 2016

(Khushal Wamanrao Chatur Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri U. J. Deshpande, Advocate for the applicant.
Shri S. S. Doifode, A.P.P. for the State.
Shri P. S. Giradkar, Advocate for the intervenor.

CORAM : S. B. SHUKRE, J.
DATED : 08 AUGUST, 2016

Heard learned Counsel for the applicant and learned A.P.P. for the State, assisted by learned Counsel for the complainant.

Learned Counsel for the complainant has submitted that the investigation is at the preliminary stage and no independent witnesses are coming forward for making statement against this applicant as he is enlarged on bail. He submits that in such a case, it is settled law that anticipatory bail should be denied.

With the assistance of learned A.P.P. for the State I have gone through the case diary and particularly the statement of Parmeshwar Raut, the bridegroom with whom marriage of the complainant was allegedly fixed and subsequently broken due to meanness shown by this applicant in showing some photographs to the

bridegroom, which contained objectionable poses of the complainant. However, such an allegation, prima facie, is contradicted by said Parmeshwar. His statement does not show at this stage that any photographs of the complainant presenting her in some objectionable state were shown to him. On the other hand, the bridegroom states that it were the father of the complainant, who had telephonically informed him that because of threats given by some person, he was cancelling the proposed marriage.

The complainant is a woman of about 20 years old and it appears that she has prima facie engaged herself in some relationship with this applicant voluntarily and when their relations turned sour, the complainant decided to initiate criminal proceedings against him. In these circumstances, I am inclined to grant anticipatory bail to this applicant.

The application is allowed.

Interim bail granted by this Court to the applicant on 01/8/2016 is hereby confirmed on the same conditions.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

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