

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE***

ANTICIPATORY BAIL APPLICATION NO. 567 OF 2017

Dr. Pankaj Vishwanath Bhoir.

... Applicant.

V/s.

The State of Maharashtra.

... Respondent.

Mr. Sudeep Pasbola a/w. Mr. Mohammed Umar Kazi for the
Applicant in ABA 567/17.

Mr. M.G. Patil, APP for the State.

CORAM : A.S. GADKARI, J.

24 April, 2017.

P.C. :-

1. The applicant is granted interim relief by an order dated 3rd April 2017.
2. Heard the learned Counsel for the applicant and the learned Counsel for the intervenor. Perused the record of the investigation.
3. Perused the First Information Report and the documents pertaining to the investigation of the present crime. It is the prosecution case that the applicant by giving promise to marry with the first informant established physical relationships with her and

has thereafter breached the promise. That after breach of the said promise of marriage, the present First Information Report is lodged.

4. Bare perusal of the First Information Report would reveal that the first informant was adult who was aged about 22 years when she entered into relationship willingly with the applicant. It appears that the act as alleged under Section 376 of the Indian Penal Code was a consensual act between two adult persons.

5. In view thereof, the applicant has made out the case for his release on pre-arrest bail. The interim relief granted by order dated 3rd April 2017 is hereby confirmed.

6. The application is allowed in the aforesaid terms.

(A.S. Gadkari, J.)