

applicant for offence punishable under section 376, 342, 354d, 324, 323 of the Indian Penal Code.

3 It is the case of the prosecution that the complainant Ms. X is working as lady waiter in Red-Bull Ladies Bar at Vartak Nagar. The applicant was a regular customer. Hence, they had got acquainted with each other. On 13/8/2016 she was leaving the hotel in her Swift D'zire car. The applicant asked her to accompany him for ride. Thereafter, they had been to Hotel Dwarka for having dinner. They had taken room. They were allotted room No. 304. It appears that in the midst of the intervening night of 13th and 14th August, 2016, the applicant had started molesting the complainant. On her refusal to oblige, he had assaulted her with the leather belt. To save herself, she had gone into the bathroom and at that time, he left the room and gave the key of the safety door to the Manager of the hotel. Thereafter, the complainant dialed 100 number and called the police. On the basis of the said report, Crime No. 221/16 has been registered.

4 Perused the papers of investigation. Manager of Dwarka Hotel has disclosed to the police that on 14/8/2016 at about 3 a.m. the applicant had gone out of the hotel hurriedly. He had asked the waiter to return the keys to the complainant. Upon enquiry, he had disclosed that the complainant would follow him. Subsequently, the manager rushed to the room. The complainant appeared to be in frightened state of mind. Upon enquiry, she had immediately disclosed to the manager that the applicant herein had attempted to strangle her, assaulted her with the belt and also ravished her against her wish.

5 Learned Counsel for the applicant submits that the act is consensual and the applicant has been in custody for about 5 months. The charge-sheet is filed and therefore, he deserves to be enlarged on bail.

6 It appears from the record that the complainant had accompanied the applicant. However, it cannot be presumed that she was the consenting party. She had to call 100 number and seek protection from the police. Taking into consideration the conduct of the applicant, this Court is of the opinion that the applicant does not deserve to be enlarged on bail. The application being sans merits stands rejected. The learned Sessions Court shall make an endeavour to expedite the trial as far as possible. The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)