

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

CRI. APPLICATION (ABA) NO. 408 OF 2017

(PRAVIN VIJAY AMBULKAR...VS.. STATE OF MAH. THR. P.S.O. GITTIKHADAN, NAGPUR)

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

Court's or Judge's orders

Shri Amit A. Choube, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 16, 2017.

Heard.

The applicant, aged about 26 years, apprehending arrest in crime registered against him for the offences punishable under Sections 376 and 376(2)(n) of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 has sought pre-arrest bail. The crime is registered on the complaint made by the prosecutrix aged about 18 years that assuring to marry, the applicant has sexually assaulted her during the period from May, 2016 to 9th January, 2017.

As according to the Investigating Agency, the prosecutrix was below 18 years at the time of commission of the alleged crime, the provisions of the Protection of Children from Sexual Offences Act, 2012 are applied.

The applicant claims to be in private service and has stated that he is not involved in any other crime/ offence. These facts are not controverted by the Investigating Agency. The reply filed by the Investigating Agency before the

Sessions Court, the copy of which is placed on record, does not show that the custody of the applicant is required for further investigation.

Considering the nature of the accusations and the facts of the case, I am of the view that the applicant is entitled for protection.

Hence, the following order :

In the event of arrest in Crime No. 242 of 2017, registered by the non-applicant, he be released on bail on furnishing P.R. bond for Rs.Twenty Thousand and one solvent surety in the like amount.

The applicant shall attend Police Station, Gittikhadan, Nagpur on every Tuesday and co-operate with the investigation until charge-sheet is filed.

The application is **allowed** in the above terms.

JUDGE