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

ANTICIPATORY BAIL APPLICATION NO. 468 OF 2018

Anshul Bammi s/o Ajay Kumar Bammi

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Mohd. Moghul for applicant.

Ms. Rutuja Ambekar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 26th June 2018.

P.C.:

1] By an Order dated 9th March 2018, the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record of investigation.

3] The prosecutrix was aged about 26 years on the date of lodgment of present crime. It is the prosecution case that, the applicant by giving promise to marry with the prosecutrix, established physical relationship with her and subsequently resiled from his promise. It is alleged that, the applicant also extended threats to the prosecutrix.

4] A bare perusal of the first information report would prima facie indicate that, the prosecutrix was the consenting party to the alleged act as contemplated under Section 376 of Cr. P.C. That the prosecutrix was also residing with the applicant on certain occasions. The record indicates that, as per the directions of this Court, the applicant has joined the process of investigation.

After perusing the record, this Court is of the view that the custodial interrogation of the applicant for further investigation in the present crime is not necessary.

5] In view thereof, interim relief granted by Order dated 9th March 2018 is hereby confirmed subject to further following conditions:-

(i) Applicant is directed to furnish documents pertaining to his residential address in the State of Haryana and Mumbai to the Investigating Officer within a period of two weeks from today.

(ii) Applicant is directed to attend the Investigating Officer as and when called for between 10.00 a.m and 12.00 noon on receipt of notice under Section 160 of Cr. P.C and to join the process of investigation till submission of final report

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)