

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.687 OF 2018
Kunal Ramesh Bafna vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. E. Kennedy Braganza i/by Akshita Prajapati for the Applicant.

Mr. Ameet Palkar, APP for the Respondent-State.

Mr. H.S.Pandey for the Intervener.

CORAM : A.S.GADKARI, J.

DATE : 6th June, 2018

P.C.

1. By an Order dated 10.4.2018 the applicant was granted interim relief.

2. Heard the learned counsel or the applicant, learned counsel for the first informant and the learned APP. Perused the record.

3. A bare perusal of the first information report would clearly indicate that, the first informant/prosecutrix who was aged about 26 years on the date of lodgment of crime was a consenting party to the alleged offence as

contemplated under Section 376 of the Indian Penal Code. The record further indicates that the alleged medical termination of pregnancy was carried out by the concerned Doctor after the first informant gave consent in writing. It further appears from the record that, it is only after the applicant committed breach of promise to marry with the first informant the present crime is registered.

2. In view of the above, the applicant is entitled to be protected by pre-arrest bail.

The interim relief granted by Order dated 10.4.2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

3. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)