

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 832 OF 2018

Duttakumar S. Rajpurkar 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. Harshad Bhadbade for the Applicant.

Mr. S.S.Hulke, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 12th July, 2018.

P.C.

1. By an Order dated 24.4.2018 the applicant was granted interim relief.
2. The present crime is registered in furtherance of Order dated 2.11.2017 passed under Section 156(3) of the Cr.P.C. by the learned Metropolitan Magistrate, 60th Court, Kurla Mumbai on a complaint filed by the first informant. After receipt of the order under Section 156(3) of the Cr.P.C. the police have registered the present crime bearing MECR No.1/2018 with Chunabhatti Police Station, Mumbai.
3. After lodgment of the crime, the statement of the first informant has been recorded by the police on 19.2.2018 which is treated as first information report. It appears from the said

report that, since 2004 till July 2014 the first informant was having relations with the applicant. In her report the informant has categorically admitted that, on many occasions with her consent the applicant had established physical relations with her. After perusing the first information report and the record of investigation, prima facie, it appears that the applicant by giving promise to marry with the prosecutrix established physical relations with her. It further appears that the first informant was a consenting party to the alleged act as contemplated under Section 376 of the Indian penal Code against the applicant.

4. In view thereof, the interim relier granted by Order dated 24.4.2018 is hereby confirmed. However the condition to attend the Investigating officer is waived.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)