

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

BAIL APPLICATION NO. 1185 OF 2017

Dharamjeet Ramsevak Verma @ Harijan ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

Mr. Atul Pandey i/b Bhola Rai for the Applicant.

Mr. R.M. Pethe, APP for the Respondent/State.

ASI B.T. Yadav, attached to Kasturba Marg Police Station.

CORAM : A.S.GADKARI, J.

DATE : 8th JANUARY, 2018

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 170 of 2016 registered with Kasturba Marg Police Station, Borivali (E), Mumbai under Sections 363, 376 of the Indian Penal Code and Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2 The first information report is lodged by Shri. Prakash Dubly, a father of victim girl Hetal who was aged about 17 years at the date of registration of crime. The statement of victim girl clearly indicates that she was having a love affair with the Applicant and at her instance the Applicant took her to his native place. It further appears from the record that on 31.05.2016, the Applicant performed marriage with the victim girl in Hanuman Temple at Basti, State of

Uttar Pradesh and the victim girl thereafter, was staying with the Applicant at his aunt's place. After perusing the statement of victim and other statements available on record, prima facie it appears that victim girl had attained the age of understanding and discrimination and had eloped with the Applicant at her own will. As noted earlier, the Applicant also performed marriage with the victim girl at his native place on 31.05.2016 and they were staying at his aunt's place.

3 In view of the above, the Applicant can be released on bail.

Hence, the following order:

- i) The applicant be released on bail in CR No. 170 of 2016 registered with Kasturba Marg Police Station, Borivali (E), Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- ii) After his release from jail, the applicant shall attend Kasturba Marg Police Station once in month i.e. on every first Monday of the month between 10.00 a.m. to 12.00 noon.
- iii) The applicant shall also attend all dates before the Trial Court.
- iv) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.
- v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)