

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.958 OF 2018

Shri.Rahul Maruti Musale	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr.Satyavrat Joshi for the Applicant.

Mr.S.R. Agarkar, APP for the Respondent-State.

Mr.Pradeep Pawar, PSI Chakan, Pune present in Court.

CORAM : SMT.BHARATI H. DANGRE, J.

**DATE : 10th MAY 2018
(VACATION COURT)**

P.C.

1. The present application is seeking Anticipatory Bail is moved by the applicant who is aged about 22 years. The complaint came to be lodged by Kum.Priyanka Kailas Bhokase aged about 23 years alleging that she was acquainted with the present applicant being her brothers friend. In a complaint filed on 17.04.2018 it is alleged by her that on 04.04.2018 at around 10.30 a.m. she received phone call from the applicant on her mobile intimating her that he was in possession of the xerox copy of her Adhar Card and he would misuse the same in any way he wants and therefore she was

summoned at Ambethan Chowk, Chakan. According to the complainant under the said threat she approached the place where she was asked to come by the applicant and it is her case that thereafter she was forcibly made to board the car and was taken to Alandi where the applicant solemnized the marriage with her in presence of his two friends. The complainant further states that the marriage was performed under the threat that the applicant would caused harmed her brother and destroy her family. Thereafter, in the afternoon the applicant dropped the complainant near ger residence.

Based on the said complaint an offence was registered under Section 366,323,504,506, 34 of the Indian Penal Code. The learned counsel for the applicant would submit that the narration in the complaint is highly improbable and infact the complainant was never put under any pressure to perform the marriage and he would state that the history of the messages texts between the parties would reveal the relationship between the two.

2. Perusal of the material placed on record it can be seen that the alleged incident is dated 04.04.2018 whereas the first information report alleged on 17.04.2018. In the FIR the complainant has specifically stated that she was forced to entered

into the relationship and she returned home immediately and but did not report the said incident to her parents. For further two days she was under pressure and trauma and therefore did not even report incident to anyone. It is however not clear as to what circumstances on 17.04.2018 she approached the police Station and filed the complaint. The learned APP would submit that the car in which the complainant was driven to Alandi for performing the marriage as well as alleged knife which was used for threatening is to be seized from the applicant. The FIR is registered on 17.04.2018 and the investigating officer has not recovered the said car. On inquiry from the learned APP it is informed that the applicant is absconding and therefore the said investigation could not be completed.

3. On perusal of the entire material on record the applicant has made out *prima-facie* case for grant of the relief as sought. The applicant undertakes to cooperate with the investigation and he would submit that he would report to the Police Station as and when require a and would also co-operate with the Investigating Officer as regards seizure of the care and knife. Since the investigation is completed, the custodial interrogation of the applicant is not necessary. Hence the following order.

ORDER

i) In the event of arrest, the applicant be released on bail on executing a PR bond of Rs.25,000/- and on furnishing two solvent sureties in the like amount.

ii) The applicant to attend to report to the Investigating Officer on every Thursday and Friday at 11:00 a.m., till such time as directed by Investigating Officer.

iii) He would not tamper evidence or influence the witnesses in any manner and would co-operate with the Investigating Officer in the manner in which he seeks his assistance.

iv) He will not remove himself from Pune District as long as investigation is been carried out.

4. In the aforesaid terms the application is disposed of.

(SMT.BHARATI H. DANGRE, J.)