

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

BAIL APPLICATION NO.1735 OF 2018

Har minder Charan Singh
V/s.
The State of Maharashtra

... **Applicant**

... **Respondent**

Mr. Harshad Bhadbhade for the Applicant.
Mr. Amit Palkar, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 30th JULY 2018

P.C.:

1. This is an application under Section 439 of the Cr.P.C. for bail in C.R.No.241 of 2018 dated 23.03.2018 registered with Malwani Police Station, Mumbai under Section 509 of Indian Penal Code r/w.67(a) of the Information Technology Act, 2000.

2. Heard the learned counsel for the applicant and the learned APP. Perused the record annexed to the application.

3. It is the prosecution case that, the applicant through a social media namely "MEECHA APP" send lewd and defamatory messages to the prosecutrix. The prosecutrix, therefore, lodged the present crime.

During the course of investigation, the person sending lewd

messages, that is the applicant herein, has been traced out by the police and came to be arrested on 26.06.2018 from Punjab.

4. *Prima facie* it appears that, the applicant has send the said lewd messages to the prosecutrix, which have been mentioned in the first information report. The Investigating Agency has already seized the mobile phone of the applicant and the same has been send to the Forensic Laboratory for analysis and the report of analysis is awaited.

5. After perusing the record of investigation, this Court is of the view that, the judicial custody of the applicant for further investigation of crime is not necessary.

In view thereof, the applicant can be released on bail.

Hence, the following order.

- a) The applicant be released on bail in C.R.No.241 of 2018 dated 23.03.2018 registered with Malwani Police Station, Mumbai, on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) After his release from Jail, the applicant shall attend the Investigating Officer after receipt of the notice under Section 160 of Cr.P.C. till submission of final report.
- (c) The applicant shall attend all the dates before the Trial Court

unless precluded for medical reasons.

(d) The applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)