

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2213 OF 2017**

Premila Yatesh Pujar	...Applicant
Versus	
The State of Maharashtra	...Respondent

WITH
ANTICIPATORY BAIL APPLICATION NO. 2027 OF 2017

1. Vikas Dadasaheb Patil	)
2. Sundarrao Dadasaheb Patil	)
3. Yeshwant Goverdhan Patil	)...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr.Sagar Tambe i/b Mr. Ritesh Thobde, for the applicants.
Mr.N.B.Patil,APP, for the State.
Mr. D.M.Gaikwad, API, Barshi Police Station, Solapur ® present.

CORAM : SMT. SADHANA S.JADHAV, J.
DATE : 10th January, 2018.

P.C. :

1. Heard the respective counsel. Perused the papers of investigation.
2. It is the case of the prosecution that on 29.10.2017, Ujwala Naiknimbalkar, who is officiating as Police Constable and posted at Barshi Police Station lodged a report at the police station alleging therein that she

had come in contact with one Sandip Patil who was posted in the traffic Branch. he had promised to marry her and under the garb of marrying her had maintained physical relations with her. That according to her, there has been a breach of promise. She had conceived pregnancy. She had undergone medical termination of the pregnancy in Dr. Pujar Hospital at Barshi. According to the complainant, on 3.3.2017, she had disclosed to Sandip Patil that she had conceived pregnancy and at that time it was revealed that she was pregnant of about five months. According to her, the applicants in Anticipatory Bail Application No.2027 of 2017, who happen to be the close relatives of Sandip Patil, had forced her to undergo medical termination of pregnancy in the hospital of Dr. Premila Pujar at Bijapur. A notice under Section 160 of Cr.P.C. was issued to Dr. Premila Pujar and she had sent all the documents by post to the concerned Police Station.

3. Perused the papers of investigation, more particularly the form which was filled in by the complainant on 5.8.2015. It shows that the complainant had signed as Ujwala wife of Sandip Patil and had disclosed to the doctor that it was a case of unwanted pregnancy. Taking into consideration the papers of investigation and the submissions advanced

across the Bar, this Court is of the opinion that the applicants have made out a case for grant of pre-arrest bail.

4. The learned APP submits that the principal accused Sandip Patil, who happens to be the Police Constable working in Traffic Branch is still absconding. It is made clear that Sandip Pail shall not claim parity with the present applicants.

5. The observations made hereinabove are prima facie in nature and shall not be taken into consideration for the purpose of quashing of FIR, discharge application or at the time of trial.

ORDER

(i) The applications are allowed.

(ii) In the event of arrest, the applicants in both the Applications be released on bail on furnishing P.R. Bond in the sum of Rs.50,000/- each with one or more sureties in the like amount.

(iii) The applicants shall report to the concerned police station as and when called and co-operate with the investigation to the best of their capacity.

Both the Applications stand disposed of.

(SMT. SADHANA S.JADHAV, J.)