

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) 431 OF 2018

(Mr Chetan Kusan Jengathe..vs.. State, thr PSO, PS Gadchiroli)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri R.R. Vyas, counsel for applicant.
Shri V.A. Thakre, APP for non-applicant.

CORAM: ROHIT B. DEO, J.

DATE: 20th July, 2018.

Heard.

2 The applicant is apprehending arrest in Crime 192 of 2018 registered at Gadchiroli Police Station for offence punishable under section 376 of the Indian Penal Code and section 11(3), 8 and 12 of Protection of Children from Sexual Offences Act.

3 Pursuant to the interim order dated 26.6.2018, the applicant has attended Police Station, Gadchiroli and has handed over the mobile set to the Investigating Officer.

4 The submission of the learned counsel is that the father of the applicant lodged the complaint on 18.4.2018 with the Dispute Resolution Committee alleging that the brother of the prosecutrix was creating nuisance and was abusing the women of the family of the applicant. The First Information Report is lodged in May 2018 by the mother of the prosecutrix, in retaliation, is the submission.

5 The sexual contact with the prosecutrix, who though allegedly a minor, is of the age of understanding, is

allegedly established between September to December 2017 and the report is lodged in May 2018.

6 Since the applicant has cooperated with the Investigating Officer, custodial interrogation may not be necessary. The interim order dated 26.6.2018 is confirmed, the applicant is cautioned not to contact the prosecutrix or any member of her family or any witness. Any breach of this condition shall ipso facto entitle the State to seek cancellation of anticipatory bail.

JUDGE

RSB