

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

CRIMINAL APPLICATION (ABA) NO.532 OF 2018

(Darshan @ Nandu s/o Liladhar Somkuwar ..vs.. State of Maharashtra, through PS Incharge P.S.
Ramtek)

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

Court's or Judge's orders

Shri V.S. Mirsha, Counsel for the applicant,
Shri N.H. Joshi, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.
DATED : 01-08-2018

The applicant is apprehending arrest in Crime 252/2018 registered with Police Station Ramtek for offence punishable under Section 376(2)(n) of the Indian Penal Code. The offence is registered on the basis of the complaint lodged by the prosecutrix on 21-3-2018.

2. The gist of the complaint is that the prosecutrix and the applicant were in a relationship since 2008.

3. The accusation is that since 2008 the prosecutrix permitted the applicant to establish sexual relationship believing that the applicant will marry her.

4. The version of the prosecutrix is that at the instance of her parents she married one Shankar Madavi in 2010. The prosecutrix states that although she married Shankar Madavi in 2010, she and the applicant had physical relationship at a lodge in Shegaon. The

prosecutrix was driven out by her matrimonial family since the applicant disclosed his relationship with the prosecutrix. The prosecutrix then states that since 2011 till January 2017 the applicant had physical relationship with her. The complaint came to be lodged, according to the prosecutrix, since she found that the applicant was not serious about the marriage and in fact refused to marry the prosecutrix.

5. Considering the accusations and the material on record, this is a fit case for exercise of discretion.

6. The interim order dated 18-7-2018 is confirmed with the modification that the applicant shall report at Police Station Ramtek as and when required by the Investigating Officer.

JUDGE

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