

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 966 OF 2018

SAVITA DADARAO PAWAR

..APPLICANT

VERSUS

THE STATE OF MAHARASHTRA

AND ANOTHER

..RESPONDENT

.....

Advocate for the Applicant : Mr. M. P. Kale

Advocate for respondent-State : Mr. M.M. Nerelekar

Advocate for respondent No.2 : Mr. B. A.Shinde

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**CORAM :T.V. NALAWADE AND
MANGESH S. PATIL ,JJ.**

DATE : 19th MARCH, 2019.

PER COURT :-

The appeal is filed against the order passed by the learned Additional Sessions and Special Judge, Gangakhed in Cri. Misc. Application No. 247 of 2018. The application filed by the present applicant for relief of anticipatory bail is rejected by the learned Additional Sessions Judge.

2. Heard both the sides.

3. This Court has carefully gone through nature of allegations made against the present appellant. The crime is registered on the basis of report given by the victim girl who is aged about 16 years. Applicant is neighbour of the family of that girl. There was acquaintance between present appellant and the victim girl and the applicant used to visit the

residential place of the victim girl. She introduced one man by name Keshav to the victim girl. At about one month prior to lodging of the F.I.R the appellant had taken the victim girl to his residential place in the night time and there she allowed the aforesaid Keshav to have sexual intercourse with the victim girl and force was used for doing so. The door was closed by the present appellant when the incident was going on. Due to the threat of life given to the appellant, she did not disclose the incident to anybody. As subsequently there was no menstruation period it was realized that she was pregnant due to aforesaid incident. The appellant remain in the contact with the victim girl and she made her to steal cash and ornaments to make arrangement for giving medicine for causing abortion. As the medicine were not given but the theft was detected and the victim girl was required to disclose the incident to her family members and that was done on 21.11.2018. The crime came to be registered on 22.11.2018.

4. The victim girl belongs to Schedule Caste. Against main accused there is charge for the offence of rape and also provisions of Protection of Children from Sexual Offences Act and there are allegations in respect of Sections 3(1)(w)(s), 3(2)(Va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act also. In view of the role played by the appellant in the incident this Court holds that she is not entitled to any relief. No reasons is found to interfere in the order passed by the

learned Additional Sessions Judge Gangakhed. Appeal stands dismissed.

[MAGESH S. PATIL]
JUDGE

[T.V. NALAWADE]
JUDGE

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