IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 707 OF 2019

Arjun Singhjani ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr.Adenwala Mohd. Shakeel, for the Applicant.
Ms. P.P. Shinde, A.P.P for the Respondent - State.
API Sachin Wagh, Powai Police Station.

CORAM : REVATI MOHITE DERE, J.

DATE : 8th AUGUST, 2019

P.C. :

1. Heard learned counsel for the parties.

2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No. 267 of 2018 registered with the Powai Police Station, Mumbai, for the alleged offences punishable under Sections 354(A),354(B) and 506(II) of the Indian Penal Code and under Sections 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

3. Perused the papers. According to the victim girl, aged 12 years, the applicant-her step-father, had behaved inappropriately with her. She has alleged that on one night, when she was fast asleep, the applicant touched her inappropriately on her private part. She has stated that when she questioned him, he threatened her. She has stated that she informed the incident to her mother i.e. the complainant, who asked her to be with her. According to the victim girl, again on 7th May, 2018 the applicant touched her inappropriately.

4. The learned Counsel for the applicant has tendered an affidavit of the applicant stating that he will not contact the victim girl nor pressurize or threaten her. He has also given undertaking not to enter the jurisdiction of Powai Police Station, where the victim girl resides. The said affidavit is taken on record and marked as `X' for identification. The applicant is in custody since 18th May, 2018. Investigation is complete and charge-sheet is filed. Till date charge has not been framed.

5. Having regard to the aforesaid facts, in particular, the

affidavit-cum-undertaking of the applicant, the application is allowed on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

ii) The Applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

iii) The Applicant shall not enter the jurisdiction of Powai Police Station except for the purpose of attendance, as directed in clause (ii) above;

iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant or the victim girl or any other witnesses concerned with the said case;

v) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change

of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

vi) The Applicant shall co-operate in the conduct of the trial and shall attend the trial Court on every date of hearing, unless exempted by the trial Court;

vii) An undertaking with regard to the aforesaid clauses (ii) to (vi), shall be filed by the Applicant, in the Registry of the trial Court, within two weeks of his release;

viii) If there are two consecutive defaults either in attending the Police Station or in appearing before the trial Court or breach of any of the conditions as stated above, the prosecution will be at liberty to apply for cancellation of Applicant/s bail.

6. The Application is disposed of in the aforesaid terms.

7. It is made clear, that the observations made herein are *prima*

facie, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.