

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1064 OF 2019

Swapnil Somnath Hole	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Satyavrat Joshi i/by Nitesh Mohite for the Applicant.
Ms. A.A. Takalkar, A.P.P. for the Respondent – State.

CORAM : P.N. DESHMUKH, J.

DATED : 3rd MAY, 2019.

P.C. :

1 After considering the application when the Court expressed that no case is made out for grant of anticipatory bail, learned Counsel for the applicant seeks time to make statement if to withdraw the application or to prosecute the same. Later on Learned counsel for applicant submits that application be decided on merits.

2 Heard. This application is filed for grant of anticipatory bail. Heard learned Counsel for applicant and learned A.P.P. Perused the case diary.

3 Mere perusal of F.I.R. would reveal that applicant was continuously behind prosecutrix aged 18 years since July 2018, insisting her now and then for providing her cell number to him while she used to

visit her college. It is specifically alleged that for obtaining the mobile number, applicant had intercepted her on the road on many occasions and continuously for 4 to 5 days. It is further alleged that applicant's said conduct was informed by prosecutrix to her mother, who made him understand in spite of that such act was further continued for a period of 4 to 5 months when in October 2018 applicant forcibly caught hold of complainant and caused inappropriate touches on her person and by extending threats, insisted her to have physical relations with her. Further contents of report established that to protect the social status, no report was lodged earlier, either by the prosecutrix or her family members, however, after prosecutrix marriage was settled with some other boy, as applicant indulged into making false phone calls wrongly informing about her illicit relation and as had given false information to her proposed husband and his father that prosecutrix was carrying pregnancy as had eloped with her by friend 4 to 5 months before, since her marriage is also cancelled.

4 Having considering facts involving applicant as aforesaid, he is continuously... , no case is made out for grant of anticipatory bail.

5 Application is, therefore, dismissed. Learned trial Court shall not get influenced with observations made herein and shall independently

evaluate the evidence on its own merits at the time of trial.

(P.N. DESHMUKH, J.)