

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

ANTICIPATORY BAIL APPLICATION NO.1571 OF 2019

Mahesh Balaso Parkale	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr.Rahul S. Kadam, Advocate for Applicant.
- Ms.S.S. Kaushik, APP for the State/Respondent.
- API Mr.A.B. Jadhav, Indapur Police Station, Pune, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 18th JULY, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.371/19 registered with Indapur Police Station, Pune, under sections 376 and 506 of the Indian Penal Code.

2. The FIR is lodged by the prosecutrix on 19/06/2019. She has stated in her FIR that she was residing in her matrimonial house at Bhandgaon, Taluka Indapur, Pune. The present Applicant was residing in the neighbourhood with his family. The Applicant was making indecent advances towards her. The Applicant used to visit her house on some pretext or the

other and was trying to get intimate. On 15/05/2019 she went to her parental house. Even at that time, the Applicant was trying to contact the prosecutrix by making phone calls on her father's mobile phone. He used to threaten her as well. In the month of June 2019, the prosecutrix came to reside at her matrimonial house. At around 08.30 p.m. on 08/06/2019 she had gone to answer nature's call at some distance from her residence. At that time, the Applicant came there and committed rape on her. Initially the prosecutrix did not tell about this incident to anybody. But on 12/06/2019 she told her husband and thereafter this FIR was lodged.

3. Heard learned Counsel Mr.Rahul S. Kadam for the Applicant and learned APP Ms.S.S. Kaushik for the State.
4. Mr.Kadam submitted that the FIR is full of false statements. He relied on the wedding card of the prosecutrix which shows that she had got married in the year 2015 and in the FIR she had mentioned the date of her marriage as 16/12/2018.

He further submitted that even the rest of the incidents described in the FIR were not true and were highly improbable.

5. Learned APP submitted that the offence is serious and the allegations are clearly made in the FIR. There is no reason for the prosecutrix to make false allegations of such serious nature against the present Applicant. She submitted that after lodging of the FIR there was one more non-cognizable case lodged against the present Applicant as he was pressurizing the prosecutrix even after lodging of the FIR.

6. I have considered all these submissions. The offence u/s 376 is clearly spelt out in the FIR. The controversy about the date of marriage is not significant in the context of allegations. The Applicant has pressurized the prosecutrix as is evident from the fact that one more non-cognizable offence is lodged against him. In this view of the matter, no case for anticipatory bail is made out. Application is therefore rejected.

(SARANG V. KOTWAL, J.)