

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1949 OF 2018

Sachin Narpat Jeerawala @ Jain,
Age 24 years, Occ.Business, R/o.706,
Suparshaw Tower, Venkatesh Park,
Opp.MTNL Office, Fatak Road, Bhayander (W),
Thane-401 101.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Nazmi Murtaza I/by Dilipkumar K. Jain for applicant.
Mrs.G.P.Mulekar, APP, for State.
Mr.S.S.Kasture, PSI, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 6th February 2019

PC :

1. The applicant is apprehending arrest in connection with CR No.291 of 2018 registered with Mira Road Police Station for offences punishable under Sections 376(2)(n) and 417 of Indian Penal Code.
2. The applicant was granted interim protection by Sessions Court vide order dated 1st September 2018. While granting interim protection, it was observed that applicant and the complainant are major. They met each other and gradually love affection developed between them and thereafter there was consensual physical relations between them from time to time. Application for anticipatory bail was rejected by Sessions Court vide order dated 7th September 2018.
3. By order dated 24th September 2018 interim protection was granted to the applicant with direction to report the investigating officer as and when called for. Learned counsel for applicant

submitted that the applicant has reported the police station and has co-operated with the investigation. The said fact is not disputed by learned APP. It is submitted by APP, on instructions, that the complainant/victim is not co-operating with the investigating machinery for making herself available for investigation.

4. Considering the factual matrix of the case and aforesaid circumstances, interim order dated 24th September 2018 can be confirmed.

5. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application No.1949 of 2018 is allowed and disposed off;
- (ii) In the event of arrest of applicant in connection with CR No.291 of 2018 registered with Mira Road Police Station, the applicant be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report the investigating officer of Mira Road Police Station as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST