

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Anticipatory Bail Application No. 2287 OF 2019

Ganesh Bapu Duandkar

...Applicant

Versus

The State Of Maharashtra

...Respondent

....

Mr. Shailesh Kharat, Advocate for the Applicant.

Ms. S.S. Kaushik, APP, for the Respondent-State.

....

CORAM : SARANG V. KOTWAL, J.

DATE : 17th OCTOBER, 2019

P.C.

1. The applicant is seeking anticipatory bail in connection with C.R. No.49/2013 registered at Khed Police Station, District – Pune under Sections 363, 366 of I.P.C.
2. The investigation in this case is over and the charge-sheet is already filed.
3. The FIR is lodged on 24.3.2013 by one Kailash. According to him on 17.3.2013, his daughter had left their house for going to school. She was 17 years of age and was studying in 12th standard. She did not return home, therefore, the informant went to the police station and lodged the complaint vide Missing

Registration No.26/2013. Thereafter on 18.3.2013, one person telephonically informed him that the informant's daughter and the applicant had got married through Court marriage. The informant made enquiries in various Courts, but, did not get any such record. Therefore, he lodged his FIR which was registered under Sections 363 and 366 of I.P.C.

4. The investigation is completed and the charge-sheet is filed. It appears that the informant's daughter had indeed eloped with the applicant. However, the learned Counsel for the applicant pointed out that they are now happily married with a child. They got married on 5.8.2013 and copy of the document showing that they had got married issued by Omkar Mangal Karyalaya, Alandi is annexed to this application. The marriage was registered on 23.8.2013. Learned Counsel relied on a copy of the affidavit filed by the informant's daughter, which shows that she had no complaints with the applicant as they had got married and had a son. Learned Counsel also invited my attention to the birth certificate of applicant's son.

5. Considering this background of the case, no purpose

will be served by arresting the applicant at this stage. His custodial interrogation is not necessary and he deserves protection of anticipatory bail. Hence, the following order :

O R D E R

- (i) In the event of arrest in connection with C.R. No.49/2019 registered at Khed Police Station, District – Pune, the applicant is directed to be released on bail on his furnishing PR bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)