

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2975 OF 2019

Prashant Kashinath Gaikwad	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Ganesh Gole i/by Mr.Ateet Shirodkar for applicant.
Smt.A.A.Takalkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 8th November 2019

PC :

1. This is an application for bail in CR No.47 of 2019 registered with Pimpalgaon Police Station for offence u/s 376(k)(d), 506 r/w 34 of IPC.

2. The applicant was arrested on 3-7-2019. The FIR was lodged on 9-4-2019. From the contents of FIR it is clear that the applicant and the complainant were in relationship from 2012 to 2018. They were having an affair. There was physical relationship between them. It is alleged that the accused had promised her that he would marry and under that pretext there was sexual relationship. However, the accused did not perform marriage. Hence, the FIR was lodged.

3. Apparently the relationship was consensual. They were acquainted with each other since 2012. The investigation is complete and charge sheet is filed. On several occasions there was physical relationship between the complainant who is a major lady

and the applicant. Considering the factual matrix, further detention of the applicant is uncalled for. Hence, case for grant of bail is made out. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.2975 of 2019 is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in CR No.47 of 2019 registered with Pimpalgaon Police Station, on his furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend Pimpalgaon Police Station once in a month on every first Saturday between 10 am and 12 noon till further orders;
- (iv) The applicant shall attend the Trial Court proceedings regularly unless exempted for some reason, and shall not tamper with evidence.

(PRAKASH D. NAIK, J.)

MST