

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Application (APPLN) No.23 of 2019
(Ku. Puja Anil Wayse .vs. State of Maharashtra through PSO PS Shegaon,
Dist. Buldhana and ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders.
and Registrar's orders

Mrs. Prajakta Chaudhari, Advocate for Applicant
Mr. J.Y. Ghurde, APP for Non-applicant No.1/State.
Mr. A.V. Bhide, Advocate for Non-applicant Nos. 2 to 7.

CORAM : Manish Pitale, J.
DATED : August 02, 2019.

The applicant has approached this Court seeking cancellation of an order of anticipatory bail granted in favour of non-applicant Nos. 2 to 7.

2. The said non-applicants are shown as accused in an first information report (FIR) registered at the behest of the applicant for offences under Sections 376, 376(2)(n), 323, 504, 506 read with 34 of the Indian Penal Code.

3. By a common order dated 27.03.2019, the Sessions Court at Khamgaon allowed the application for grant of anticipatory bail filed by the non-applicant No.2 to 7. It was found that the allegations in the present case are arising out of a love affair between the applicant and the non-applicant no.2 that has gone wrong. Several allegations have been made by the applicant, which were recorded in the said order passed by the Sessions Court and considering the entirety of the material on record, the Sessions Court granted

anticipatory bail imposing specific conditions on the non-applicant nos. 2 to 7, including reporting to the investigating officer as and when required and not threatening or inducing the applicant or witnesses in any manner.

4. It is claimed by the applicant that the order of anticipatory bail ought not to have been passed in favour of the non-applicant nos. 2 to 7 and it is further claimed that the non-applicant nos. 2 to 7 allegedly threatened the applicant in respect of which a non-cognizable report was registered on 21.03.2019.

5. The contention raised on behalf of the applicant that anticipatory bail ought not to have been granted to non-applicant nos. 2 to 7 is found to be without any substance by this Court because the Sessions Court has given detailed reason for granting relief to the said non-applicants. Insofar as the registration of the non-cognizable report regarding threatening is concerned, a perusal of the same shows that it is dated 21.03.2019 and therefore, there is no material on record to show that the non-applicant nos. 2 to 7 had indulged in any such conduct after order dated 27.03.2019 was passed by the Sessions Court.

6. Therefore, this application deserves to be rejected, although the apprehension expressed by the applicant that she may be threatened by the non-applicant nos. 2 to 7 needs to be addressed. The learned counsel for the applicant has informed this Court that the applicant is pursuing her education at Shegaon, district Buldhana. In that view of the matter, the present application is rejected and the non-

applicant nos. 2 to 7 are directed not to enter the town of Shegaon, district Buldhana, till filing of the charge-sheet, except for remaining present before the Investigating Officer as and when required.

JUDGE

halwai