

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

CRIMINAL APPLICATION (ABA) NO.501/2019

Vijay Shriram Hiralkar .vs. State of Maharashtra

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

Court's or Judge's orders.

Mr. A. D. Bhate, Advocate for applicant.

Mr. N. R. Rode, A.P.P. for non applicant.

CORAM : V. M. DESHPANDE, J.

DATED : AUGUST 20, 2019

Applicant who is a 28 years old agriculturist, is apprehending his arrest in connection with Crime No.126/2019, registered with Police Station Jalamb, Tq. Shegaon, Dist.Buldhana, for an offence punishable under Sections 354, 354-A of Indian Penal Code and Sections 8 and 12 of the Protection of Children From Sexual Offences Act.

Heard Mr.Bhate, learned counsel for applicant and Mr. Rode, learned A.P.P. for the State. I have also perused reply filed on behalf of State. Crime is registered on the basis of a report lodged by the victim herself. Gist of the report is that on 14.07.2019, at about 12.30 p.m., applicant tried to outrage her modesty by holding her hand. During the course of investigation, investigating officer found that date of birth of the victim is 18.01.2002. Thus, on the date of incident, victim was 17 ½ years. Reply would show that investigating officer has recorded statements of two witnesses, who caught both, applicant as well as victim on the spot.

On 25.07.2019, this Court (Coram: Manish Pitale, J.) granted ad interim anticipatory bail in favour of the applicant with a direction to attend Police Station on the dates mentioned in the said order. There is no grievance on behalf of prosecuting agency in respect of misuse of liberty given to applicant under order dated 25.07.2019. As per the investigation papers and as per submissions of learned A.P.P, the applicant has extended full cooperation.

In view of the aforesaid, in my view, personal liberty of applicant can be protected by imposing certain conditions. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No. 126/2019, registered with Police Station Jalamb, Tq. Shegaon, Dist. Buldhana, for an offence punishable under Sections 354, 354-A of the Indian Penal Code and Sections 8 and 12 of the Protection of Children From Sexual Offences Act, applicant-Vijay Shriram Hiralkar, be released on bail on he executing P.R. Bond in the sum of Rs.25,000/-.
- (iii) The applicant shall attend Police Station, Jalamb, Tq. Shegaon, Dist. Buldhana on every Sunday between 03.00 to 05.00 p.m., till filing of the charge-sheet.
- (iv) The applicant shall not try to influence the victim or any other witnesses.

The application is disposed of.

JUDGE