

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

CRIMINAL APPLICATION (BA) NO. 1036 OF 2019

Shripad s/o Anil Gawande .Vs. State of Maharashtra,through P.S.O, P.S.
Karanja (City), Tah. Karanja (Lad), Dist. Washim.

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

Court's or Judge's orders.

Mr. T.U. Tathod, Advocate for applicant.

Mr. P.S. Tembhare, A.P.P for non applicant- State.

CORAM : V. M. DESHPANDE, J.

DATED : NOVEMBER 28, 2019

Heard Mr. Tathod, learned counsel for applicant
and Mr.Tembhare, learned Additional Public Prosecutor for
the non applicant-State. Also perused the charge-sheet.

Applicant is arrested on 24.07.2019 by Police
Station Authority, Karanja in connection with Crime
No.315/2019 registered with Police Station, Karanja (City),
Tah. Karanja (Lad), Dist. Washim for an offence punishable
under Sections 354D, 376, 323, 506 and 507 of the Indian
Penal Code.

The crime is registered in view of the oral report
given by the victim herself. The report would show that her
age is 24 years and in the year 2016-2017 she was
undergoing course of Electrician at I.T.I., Karanja. She used
to attend the college by taking auto rickshaw from her
village Umbardabazar. As per first information report,
applicant used to follow her. The report would show that
under threat of the applicant she met the applicant on
15.05.2016 and on the said day, against her wish, he made
sexual intercourse with her. Again in the month of August in

the said year she was again subjected to forceful sexual intercourse. According to the report, since there used to be threats, she did not disclose this to anybody. According to the report, on 15.04.2019, applicant called her at Hotel Nidhi at Mangrulpir and there also he committed sexual intercourse against her wish.

Looking to the fact that there is considerable delay in lodging first information report and investigation is over, in my view, further custodial presence of the applicant is not necessary. Consequently, I pass the following order:

ORDER

- (i) The application is allowed.
- (ii) Applicant – Shripad s/o Anil Gawande be released on bail in connection with Crime No.315/2019 registered with Police Station, Karanja (City), Tah. Karanja (Lad), Dist. Washim for an offence punishable under Sections 354D, 376, 323, 506 and 507 of the Indian Penal Code, be released on bail on he executing PR. Bond in the sum of Rs.15,000/- with one solvent surety in the like amount.
- (iii) The applicant is directed not to cause any type of threats to the victim.
- (iv) The applicant is directed to attend all the Court dates scrupulously.

The application is disposed of.

JUDGE