

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

CRIMINAL APPLICATION (BA) NO.1119/2019

Urmila Duryodhan Umbarkar .vs. State of Maharashtra through PSO P.S.
Borgaon Manju, Tq. Dist. Akola.

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

Court's or Judge's orders.

Mr. A. S. Siddiqui, Advocate for applicant.
Mr. S. M. Ghodeswar, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : DECEMBER 10, 2019

Heard Mr. Siddiqui, learned counsel for applicant
and Mr. Ghodeswar, learned A.P.P. for non applicant-State.
Also perused the reply and the charge-sheet.

The applicant was arrested on 28.06.2019 by
Police Station Officer, Borgaon Manju, Akola in connection
with Crime No.208/2019, for an offence punishable under
Sections 376, 376 (3), 342 read with Section 34 of the
Indian Penal Code, Sections 4 and 6 of the Protection of
Children From Sexual Offences Act and Section 6 of the
Prevention of Child Marriage Act.

Applicant is mother of co-accused Nitin, against
whom the main allegation of penetrative sexual assault are
made. The report is lodged by victim herself. The report
would show that role of applicant is that she insisted that
the victim should remain in the room with the co-accused
person, after the applicant leaves the said room. Thereafter
the co-accused Nitin has committed sexual assault on victim.

Since, investigation is over and charge-sheet is already filed and applicant is a lady, I am of the opinion that the applicant can be released on bail. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Urmila Duryodhan Umbarkar be released on bail in connection with Crime No.208/2019, registered with Police Station, Borgaon Manju, Tq. Dist. Akola, for an offence punishable under Sections 376, 376(3), 342 and 34 of the Indian Penal Code, Sections 4 and 6 of the Protection of Children From Sexual Offences Act and Section 6 of the Prevention of Child Marriage Act

The application is disposed of.

JUDGE