

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 128 OF 2020

Vijay Rajaram Shinde

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Rahul K. Dhaygude, Advocate for the Applicant.

Smt. Veera Shinde, APP for the State-Respondent.

Mr. Prashant Badhe, API, Satar Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th January, 2020

PC :

1. The applicant is seeking anticipatory bail in C.R. No. 810 of 2019 registered with Satara City police Station for offences punishable under Sections 376 (2)(n) & 506 of Indian Penal Code.
2. The FIR was lodged on 8th November, 2019. According to the complainant, she was acquainted with the applicant. The applicant had promised that he would marry her. In June 2017 they went to Mahabaleshwar, thereafter, on 22nd June, 2017 the applicant took the victim to the flat of the friend. He gave promise of marriage and had physical relationship with her. Both of them used to go on tour. In December, 2017 the complainant learnt that the applicant is a married person. She confronted the applicant. He told that he would divorce his wife. Thereafter, they went to lodge in October, 2018. There was physical relationship between them. In June, 2019

applicant refused to marry victim. On 22nd October, 2019 wife of applicant had abused and threatened the complainant. The applicant then threatened the victim that she should not call his wife.

3. Learned APP in fairness produced the statement of the victim recorded under Section 164 of Cr.PC. In the said statement she has stated that she was in love with the applicant since last three years. She learnt about his marriage two and half years ago. The relationship had come to an end. Thereafter, the applicant tried to contact her on several occasions. She is not interested in pursuing her complaint and wants to withdraw the complaint. In view of the aforesaid circumstances, application is required to be allowed.

4. Hence, I pass the following order.

ORDER

- i) Anticipatory Bail Application No.128 of 2020 is allowed;
- ii) In the event of arrest of applicant in C.R. No. 810 of 2019 registered with Satara City police Station, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.20,000/-,with one or more sureties in the like amount;
- iii) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)