

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

CRIMINAL BAIL APPLICATION NO. 262 OF 2020

Nitin Dashrath Baravkar	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Ranjit M. Pawar, Advocate for the Applicant.
Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.
DATE : 7th February, 2020

PC :

1. The applicant is arrested on 4th December, 2019 in connection with C.R. No. 589 of 2019 registered with Daund Police Station, Pune for offences punishable under Section 376(2)(n), 506, 509 of Indian Penal Code. The FIR was lodged 29th November, 2019.

2. The case of the complainant is that, her husband was earlier working in plastic factory at Pune and thereafter he left the said job within 6 months and in 2016 he joined the job at MIDC at Kurkumbh Tal Daund. The husband of the complainant had taken one room on rent from the Dashrath Dinkar Baravkar and he was residing in that room. It is further alleged that after 3 months the husband of the complainant took the complainant at his rented room to reside with him. After one month at about 12.00 in night the applicant forcefully entered the room of the complainant and committed sexual assault

on the complainant. The applicant threatened the complainant with dire consequences, if she disclose it to any one as he is very influential person. The complainant narrated the said alleged incident to the Kausalyabai Dashrath Baravkar on next date but the she did not pay any attention to complainant and threatened her. The applicant used to visit the home of the complainant and his parents were aware of this fact and they supported him. It is further alleged that the parents of applicant are powerful person and therefore the complainant did not disclose this facts to anyone. The applicant used to give valuable gifts to complainant and her husband to maintain good relations with them. In January 2018 the husband of the complainant came to know about the said fact and he assaulted the complainant as she had not narrated the said incident to him. The complainant went to her in-laws place and started residing there. Thereafter the applicant and his parents threatened her on her mobile phone.

3. The applicant preferred an application for bail before the Sessions Court which has been rejected by order dated 20th January, 2020.

4. Learned APP pointed out investigation papers. It appears that supplementary statement of the victim and complainant was

recorded on 4th January, 2020. In the said statement she has stated that she lodged the complaint against the accused while she was in disturbed state of mind. She has refiled from her previous statement.

5. The complainant is married lady, aged about 23 year. In view of the supplementary statement, the applicant need not be subjected to further detention. In these circumstances, case for grant of bail is made out.

6. Hence I pass the following order :

ORDER

- i) Bail Application No. 262 of 2020 is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 589 of 2019 registered with Daund Police Station, Pune on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)