

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.531 OF 2020

Sagar Rajendra Khatal

Applicant

versus

The State of Maharashtra

Respondent

Mr.Harsh Nishar with Vandana Batt i/by Amey Deshpande for applicant.

Smt.Veera Shinde, APP, for State.

Mr.Rakesh S. Bamte, API & IO, Indiranagar Police Station, Nashik, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd March 2020

PC :

1. This is an application for anticipatory bail in connection with CR No.73 of 2020 registered with Indiranagar Police Station, Nashik for offences under Sections 376, 420, 323, 504, 506 of Indian Penal Code.

2. The FIR was lodged on 18th February 2020 by victim lady aged about 52 years. It is alleged that the victim was acquainted with applicant since 2017 onwards. The victim was residing with another person in live-in-relation. The applicant has allegedly promised her that he would marry her. There was physical relationship between them. There were quarrels between the victim and other person with whom she was in relationship. The applicant insisted that she should leave other person and the applicant would marry her. The applicant promised that he would perform marriage with the complainant and established physical relationship on several occasions. However, subsequently he refused to perform marriage.

3. The applicant had preferred application before Sessions Court seeking anticipatory bail which was rejected by order dated 28th February 2020.

4. From the tenor of FIR it is apparent that there was sexual relationship between applicant and victim. The victim is major lady. For a period of about three years both of them were in relationship. It is alleged that under the pretext of marriage the complainant was subjected to physical relationship. Undisputedly the victim and applicant were in physical relationship since last three years.

5. Considering the factual matrix of the matter, case for grant of anticipatory bail is made out. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application No.531 of 2020 is allowed and disposed of;
- (ii) In the event of arrest of applicant in connection with CR No.73 of 2020 registered with Indiranagar Police Station, Nashik, the applicant be released on bail on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report the Investigating Officer on 12th and 13th March 2020 between 11 am and 1 pm and thereafter as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)