

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1549 OF 2019

Vishal Navalkishore Bunde	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO. 01 OF 2019
IN**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1549 OF 2019

Shweta Pujari	...Applicant
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IN THE MATTER BETWEEN :

Vishal Navalkishore Bunde	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Debajyoti Talukdar, Advocate for the Applicant.
Mr. Sudip Banerjee a/w Ms. Valentina Sampson, Advocate for
Intervenor.
Ms. Pallavi N. Dabolkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 7th February, 2020

PC :

1. The applicant is seeking anticipatory bail in connection with C.R.No.655/2019 registered with Pimpri Police Station, Pimpri Chinchwad under Section 376, 376(2)(n), 504 of Indian Penal Code.
2. The FIR was lodged on 23rd May, 2019. The complainant got acquainted with applicant on Instagram. They become friends. The accused proposed her for marriage. She consented. They boarded lodge. Under pretext of marriage accused had forcible sexual

relationship with victim. Thereafter they had physical relationship on 25th March, 2019 and 26th March, 2019. Thereafter he refused to marry victim. It is her case that present applicant had made false promise of marriage and therefore she had consented to have physical relations. Learned Counsel for the applicant submitted that the conversation through phone messages shows that complainant was consensual party.

3. Learned APP on instructions submitted that the medical examination of the applicant is required to be conducted and mobile phone of the applicant has been submitted to the Investigating Officer and the same has been forwarded to Forensic Science Laboratory and the report is awaited. Learned APP on instructions further submitted that the applicant may be put to certain terms and conditions to cooperate with the investigation. Learned counsel for the applicant submitted that several complaints filed against the complainant with regards to harassment caused to him which is treated as N.C. complaint. Learned counsel for the intervenor disputed submission of the counsel for the applicant.

4. learned counsel for the intervenor submitted that the Sessions Court has given reasons for rejection for anticipatory bail. The applicant has been criticizing the character of the complainant.

Considering submissions advanced by learned APP custodial interrogation of the applicant is not necessary. Considering the aforesaid circumstance, case for grant of bail is made out. Hence, I pass the following order.

ORDER

- i) Anticipatory Bail Application No. 1549 of 2019 is allowed;
- ii) In the event of arrest of applicant in C.R.No.655/2019 registered with Pimpri Police Station, Pimpri Chinchwad the applicant be released on bail on furnishing P. R. Bond in the sum of Rs. 25000/-, with one or more sureties in the like amount;
- iii) The applicant shall attend the Investigating Officer on 17th, 18th and 19th February, 2020 between 11.00 am. to 1.00 p.m.
- iv) Anticipatory Bail Application as well as Interim application stand disposed of.

(PRAKASH D. NAIK, J.)