

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

CRIMINAL BAIL APPLICATION NO.3408 OF 2019

Ravindra Nanasaheb LasaneApplicant

V/s.

The State of MaharashtraRespondent

Mr. Ninad Shinde, for the Applicant.

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

CORAM : PRAKASH D. NAIK, J.

DATE : 27th February, 2020

P.C.:

1. The applicant is seeking bail in CR No.497 of 2019 registered with Chikhali Police Station, Pune under Sections 377, 376, 367(n), 354, 354-A, 328, 509, 504, 506 r/w 34 of Indian Penal Code. The applicant was arrested on 31st July 2019.

2. The case of the prosecution is that the informant is a married lady aged 30 years. She is BHMS Doctor having two children. The applicant and the victim were acquainted with each other. In 2010 applicant approached the victim and took her in hotel. He committed sexual intercourse with her by administering intoxicated substance in her food. The victim got married in 2012. The applicant procured address of the victim. The applicant then threatened the victim that

in 2010 there was physical relationship between them and he is possessing video recording recorded in 2010. He demanded Rs.2,00,000/- from the victim. On the same day he committed sexual intercourse with her. Thereafter also under threats the victim was subjected to sexual assault. The applicant kept on demanding money from the victim. It is also alleged that at the instance of the applicant, co-accused had demanded money from victim on 6th June 2019 and he molested her in her OPD. The FIR was, however, lodged on 30th July 2019. On completing investigation charge sheet is filed.

3. Learned counsel for applicant submitted that the complaint is false. The material on record indicates that the applicant and the complainant were in relationship. The applicant relies on the text messages exchanged between applicant and the victim which according to him shows that they were in relationship.

4. Learned APP submitted that the victim was subjected to sexual assault repeatedly by the applicant. The co-accused had demanded money at the instance of the applicant. Co-accused had also subjected the victim to sexual assault by outraging her modesty.

5. Perused the documents on record. Undisputedly as per the version of complainant/victim, she was acquainted with the applicant in 2010. There was physical relationship between them. Thereafter she got married. There is whatsapp conversation between them which shows that the relationship was consensual. The applicant allegedly threatened her thereafter in 2018 and had subjected her to sexual assault under the threats that he is in possession of video recording which was recorded in 2010. No complaint was filed by the complainant earlier. The FIR was lodged on 30th July 2019. Investigation is complete and charge sheet is filed. Further detention of the applicant is not necessary. Applicant has no criminal background.

6. Hence, I pass following order :-

ORDER

- (i) Criminal Bail Application No.3408 of 2019 is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in connection with CR No.497 of 2019 registered with Chikhli Police Station, Pune, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant shall not approach the victim and shall not tamper with the evidence;

(iv) The applicant shall not enter into vicinity of the residence of complainant/victim till conclusion of trial.

(PRAKASH D. NAIK, J.)