

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

CRIMINAL BAIL APPLICATION NO.3457 OF 2019

Surjeet Chandeshwar Yadav

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Zaid Qureshi, for the Applicant.

Mr. S. S. Pednekar, APP for the Respondent- State.

CORAM : PRAKASH D. NAIK, J.

DATE : 27th February, 2020

P.C.:

1. The applicant is arrested on 23 July 2019 in connection with C.R.No.508 of 2019 registered with Sinhagad Road Police Station, Pune, for offences punishable under Sections 376, 377, 323 and 504 of Indian Penal Code ("IPC" for short).

2. The First Information Report was lodged by the victim who is aged about 35 year on 23rd July 2019. She has alleged that, she was acquainted with the applicant since 19th March 2017. Thereafter, they developed friendship and fell in love. By consent both of them had physical relationship on several occasions. Subsequently, the accused demanded amount of Rs.10,00,000/- for

business. The victim gave him Rs.3,50,000/-. The business of the accused failed. Thereafter, he stayed with the victim. On 22nd December 2018, the victim went to Pune to meet him. They stayed together in hotel. There was physical relationship between the applicant and the victim. She demanded the amount parted to the applicant. He refused to return the amount. The accused abused her. Thereafter, she was subjected to unnatural sex. The FIR was lodged. On completing investigation charge sheet is filed.

3. On perusal of the FIR it is apparent that, the victim and the applicant were known to each other since 2017. There was consensual physical relationship between them. They stayed together. They had checked in the hotel and stayed together. There was physical relationship between them on several occasions. Apparently, there was dispute with regards to the money parted to the applicant by the complainant. The applicant is in custody from 23rd July 2019. Investigation completed. Charge sheet is filed. Further detention of the applicant is not called for. Learned APP however submits that the applicant is resident of Haryana and there is likelihood that he will abscond if he is released on bail. Considering the factual matrix of this case, bail can be granted to the applicant on certain terms and conditions.

ORDER

- (i) Bail Application No.3457 of 2019 is allowed.
- (ii) The applicant is directed to be released on bail in connection with C.R.No.508 of 2019 registered with Sinhagad Road Police Station, on furnishing P.R bond in the sum of Rs.25,000/- with one or more sureties in the like amount. At least one surety must be local.
- (iii) The applicant shall report concerned Police Station once in a month on every first Saturday between 11:00 a.m. to 1.00 p.m. till further order.
- (iv) The applicant shall furnish details of his address to the Investigating Officer, after he is released on bail.

(PRAKASH D. NAIK, J.)