

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.38/2020

Pravin s/o Govardhan Manwar .vs. State of Maharashtra through PSO P.S.
Murtizapur City, Tq. Murtizapur, Dist. Akola.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. A. Mohta, Advocate for applicant.

Mr. N. B. Jawade, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : FEBRUARY 6, 2020

Heard Mr. Mohta, learned counsel for applicant
and Mr. Jawade, learned A.P.P. for non applicant-State.
Also perused the entire charge-sheet.

The applicant is arrested on 24.08.2019 in
connection with Crime No. 233/2019, registered with Police
Station, Murtizapur, Dist. Akola for an offence punishable
under Sections 376, 307, 355, 504 and 506 of the Indian
Penal Code (IPC).

The report is dated 23.08.2019 and it is filed by
the victim herself. From the report, it is clear that the victim
was married with one Sangram in the year 2011 and is
having one son and one daughter. The applicant is relative
of the husband of the victim. As per the report, he used to
visit regularly to the house of the victim and he used to talk
with the victim. On that count, husband of the victim picked
up quarrel with her and drove her away from the house.
Therefore, the victim along with her son and daughter went

to Murtizapur and started residing at her parental house. As per the report, there the applicant used to visit. The report states that due to regular visits, she fell in love with the applicant and their love affair resulted into the sexual intercourse between them. It is further stated in the report that the applicant used to give promise of marriage to the victim and upon that she used to extend consent for sexual intercourse. As per the report, on 22.08.2019, the applicant on the pretext of marriage, has committed sexual intercourse with the victim and assaulted on her and tried to smother.

From the report itself, it is very clear that the victim was aged about 25 years married woman and her marriage was still in existence. Her report itself shows that she was in love with the applicant. The investigation is already over. The applicant is behind bars from 24.08.2019. Though, sessions case is registered as Sessions Trial No.246/2019, it is disclosed to this Court by both learned counsel that charge is yet to be framed. There is no criminal antecedent against the applicant.

In that view of the matter, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant Pravin s/o Govardhan Manwar be released on bail in connection with Crime No.233/2019, registered with Police Station, Murtizapur, Dist. Akola for an offence punishable under Sections 376, 307, 355, 504 and 506 of the Indian Penal Code, on he executing P.R.Bond in

the sum of Rs.10,000/- with one solvent surety in the like amount.

(iii) The applicant is directed to attend Police Station, Murtizapur City, twice a month i.e. on first and third Tuesday of every month between 11.00 a.m. to 05.00 p.m. till culmination of the trial.

(iv) The applicant shall not try to contact or pressurize the victim or any of the witnesses.

The application is disposed of.

JUDGE

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