

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

CRIMINAL APPLICATION (ABA) NO.24/2020

Gurudas alias Gurudeo s/o Dawadu Meshram .vs. State of Maharashtra
through PSO P.S. Gadchiroli, Tq. Dist. Gadchiroli.

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

Court's or Judge's orders.

Mr. N. D. Khamborkar, Advocate for applicant.
Mr. M. K. Pathan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : FEBRUARY 7, 2020

Heard Mr. Khamborkar, learned counsel for applicant and Mr. Pathan, learned A.P.P. for non applicant-State. Also perused the reply.

Applicant is apprehending his arrest in connection with Crime No.611/2019, registered with Police Station, Gadchiroli, for an offence punishable under Section 376 (2) (n) read with Section 506 of the Indian Penal Code.

The complaint is lodged by victim herself, who is a married woman. From the reply, it is clear that prior to the marriage of the victim, she was having love affair with the present applicant and the applicant used to give promise of marriage. As per the reply, parents of the complainant married her with one Munindra on 08.05.2019. According to the FIR, thereafter, the victim started residing in her matrimonial house. After eight days of her marriage i.e. on 17.05.2019, the applicant came at her matrimonial house and committed sexual intercourse with her. From the

complaint, it is clear that thereafter on three four occasions, the applicant committed sexual intercourse with the victim at her matrimonial house. In the month of June-2019 also, when she had been to her parental house, the applicant had committed sexual intercourse with her for three four occasions and thereafter, the victim got pregnant. The FIR further states that the victim then disclosed the sexual intercourse with her by the applicant to her husband and FIR came to be lodged.

Looking to the aforesaid nature of allegations against the applicant and the fact that on 15.01.2020 this Court, while granting interim bail directed the applicant to attend the Police Station from 18.01.2020 to 29.01.2020 and the investigating officer was to take steps to collect medical samples of the applicant for DNA profiling and accordingly the applicant has attended the Police Station and blood samples were taken, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.611/2019, registered with Police Station Gadchiroli, for an offence punishable under Section 376 (2) (n) read with Section 506 of the Indian Penal Code applicant Gurudas alias Gurudeo s/o Dawadu Meshram, be released on bail on he executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend Police Station, Gadchiroli once in a month i.e. on last Sunday of every month and shall be with the investigating officer from 03.00 p.m. to 05.00 p.m. till culmination of the trial.

The application is disposed of.

JUDGE

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