

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

**CRIMINAL APPLICATION (ABA) NO.382 OF 2020**

(Gopal s/o Bhagwat Ghuge Vs. State of Maharashtra thr. PSO PS Malegaon, Dist.  
Washim)

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

*Court's or Judge's orders.*

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None for Applicant.  
Mr. M.K. Pathan, APP for Non-Applicant/State.

**CORAM: ROHIT B. DEO, J.**

**DATE: 26<sup>th</sup> NOVEMBER, 2020.**

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. None present for the applicant.

3. Heard the learned APP Mr. M.K. Pathan.

4. The allegation against the present applicant is that on 07.03.2020 he came to the house of the complainant and asked her to accompany him, on the pretext, that she was called to Nagpur by her husband Dipak. According to the complainant, she was continuously ill-treated by her husband Dipak and the matrimonial family. The husband of the complainant Dipak is working at Nagpur as Purchase Manager in a private concern. The complainant alleges that the present applicant Gopal is related to her husband and is

appointed to look after the agricultural property of her husband. It is further alleged in the report that prior to 07.03.2020 the complainant was abused and physically assaulted by her husband Dipak, who then left for Nagpur.

5. Adverting to the allegations against the present applicant – Gopal, it is alleged that after Gopal asked the complainant to accompany her to Nagpur to meet her husband, both boarded a luxury bus and it was in the luxury bus that she was subjected to forcible sexual intercourse. According to the report, she was then taken to Aurangabad and thereafter to Pune, Alandi and Indore where the present applicant established sexual relationship with her against her will. In the interregnum, the complainant's husband lodged a missing report.

6. Considering the nature of the accusations, and the fact that *prima facie* the version that the complainant was raped in a luxury bus which was presumably carrying several other passengers, must be taken with a pinch of salt, the interim protection granted vide order dated 18.09.2020 is made absolute with the only modification that till the charge-sheet is filed, the applicant shall attend the concerned police station as and when directed by the Investigating Officer.

**JUDGE**