

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

**LD-VC-CRIMINAL APPLICATION [ABA] NO. 568/2020.**

Shantaram Natha Waghmare

**-VERSUS-**

The State of Maharashtra

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

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Shri N.B. Kalwaghe, Advocate for the Applicant.  
Shri C.A. Lokhande, A.P.P. for the Non-applicant.

**CORAM : VINAY JOSHI, J.**

**DATE : JULY 28, 2020.**

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Police of Risod Police Station registered an offence vide Crime No. 88/2020 against the applicant and his son for commission of offence punishable under Sections 363 and 376(2) of the Indian Penal Code. Having reason to believe to be arrested in the said non-bailable offence, the applicant approached to Sessions Court for grant of pre-arrest bail, but, remained unsuccessful.

**2**

3. A minor girl aged 16 years lodged report to the police alleging that she was having love affair with son of the applicant (co-accused) namely – Nilesh. Conjoint reading of both the police statements of victim discloses that the co-accused (son of applicant) took the victim to his residence and expressed to marry. At that time the applicant resisted for said marriage for the reason that the victim was minor and therefore, asked her to go back to her house. It is alleged that at the instance of the victim, the applicant left her at the house of her maternal uncle and while proceeding on motor cycle asked that not to disclose the things to anybody. This is the only allegation against the applicant.

4. There is no question of custodial interrogation and therefore, this is a fit case to grant pre-arrest protection to the applicant.

5. In view of above, the interim protection dated 02.07.2020 is hereby made absolute with a modification that the applicant shall attend the concerned police station as and when required or called for.

6. Criminal Application is accordingly

**3**

allowed and disposed of.

7. This order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

**JUDGE**

Rgd.