

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

CRIMINAL APPEAL NO. 443 OF 2020

Pravin Chintamanrao Deshpande,
Aged about 27 years, Occ.: Private,
R/o. Datta Vihar Nagar, Jayhind Nagari,
Posadevi, Aurangabad, presently residing
at Vastu Icha Apartment, Plot No.39,
Mordern Society, Pratap Nagar, Nagpur
Tah. and Distt. Nagpur.

.... **APPELLANT.**

// **VERSUS** //

- 1) The State of Maharashtra,
Through Police Station Officer,
Police Station, Imamwada, Nagpur
Distt. Nagpur.
- 2) Jhanvi Dadarao Gotekar,
Aged 20 years, Occu.: Education,
R/o. Nr. Shankar Kamdekar's House,
Nr. Baldev Saoji Building, Imamwada,
Nagpur, District : Nagpur.

.... **RESPONDENTS.**

Shri Jaspritsingh Chilotra, Advocate for Appellant.
Shri S.S.Doifode, A.P.P for Respondent No.1/State.
Shri O.J.Hashim, Advocate for Respondent No.2.

CORAM : Z.A.HAQ AND AMIT B. BORKAR, JJ.
DATED : NOVEMBER 26, 2020.

ORAL JUDGMENT : (Per : Z.A.Haq, J.)

1. Heard.

2. **ADMIT.**

3. The appellant is arrested on 27th September 2020 in connection with Crime No. 347 of 2020, registered with respondent No.1-Police Station for the offences punishable under Section 376(2)(va) of the Indian Penal Code and Sections 3(2)(v), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The crime is registered against the appellant on the report lodged by the respondent No.2-victim. The allegations against the appellant are that the appellant and the respondent No.2 were knowing each other since December 2018 and under the pretext of marrying respondent No.2, the appellant sexually exploited her on 25th July 2019 and then subsequently also. The First Information Report came to be registered on 23rd September 2020.

4. The appellant is aged about 27 years. The respondent No.2 is aged about 20 years. The appellant has stated that he is in private employment. The learned Advocate for the appellant, on instructions, made statement that any other crime is not registered against the appellant.

5. Considering the facts of the case and as the respondent No.1-Police Station Officer has not been able to point out that the custody of the

appellant is required for further investigation, in our view, the appellant is entitled to be released on bail.

6. Hence, the following order:

- i) The impugned order is set aside.
- ii) The appellant, having been arrested in connection with Crime No.347 of 2020 registered with respondent No.1-Police Station, he be released on bail on executing P. R. Bond for the sum of Rupees Twenty Thousand with one solvent surety in the like amount.
- iii) The appellant shall attend the respondent No.1-Police Station as and when summoned by the Investigating Agency.

The appeal is **allowed** in the above terms.

(AMIT B. BORKAR, J)

(Z.A.HAQ, J)