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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 214 OF 2020

MR.ANMOL KALJEET SINGH
@ ANMOL KAWALJEET SINGH ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr.Nitin Sejpal a/w Ms.Akshata Desai i/b Mr.Tegbahadur
Thakur, for Applicant.
Mrs. M.R. Tidke, APP for State.
Mr. V.G.Babar, Asst. PI, Bhayander Police Station present.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 9, 2021

P.C. :

1. Heard learned Counsel for the applicant. This is an application for pre-arrest bail in respect of C.R. No. 0236/2019 registered with Bhayander Police Station under sections 376, 354-A(2) of Indian Penal Code, 1860. It is the allegation of the complainant that she met the applicant at a gym. Sometime in May 2018, the complainant was introduced to the applicant. Later on the complainant and applicant started seeing each other. The allegation is that

the applicant forced the complainant into a physical relationship. The complainant is a married lady and has two children. Thereafter applicant extorted money from the complainant on some occasions. He also snapped some obscene pictures of the complainant and threatened the complainant that he would circulate the same on social media if demands of the applicant are not met. It is further alleged that the complainant was taken to different places where he had physical relations with her. He had also introduced the complainant to his cousin and one of his friend who she felt uncomfortable with as she doubted their intentions. It is alleged that when the husband of the complainant came to know about the relationship with the complainant, she decided to lodge the FIR. The FIR is lodged on 20/08/2019. Prima facie, reading of the FIR indicates that applicant and complainant were in consensual relationship. There are no details about the date when the money is allegedly extorted. The allegations appear to be vague.

2. In the affidavit filed by the applicant it is stated

that his marriage was solemnized on 28/11/2019. Learned Counsel for the applicant contended that as the prosecutrix was infuriated, as a result of the applicant getting married, that a false complaint is made.

3. In the order dated 11/02/2020 passed by this Court it has been recorded that applicant was directed to hand over his mobile cell to the Investigating Officer on 14/02/2020. Learned Counsel for the applicant on instructions then submitted that applicant had neither clicked nor circulated obscene pictures of the complainant and uses only one mobile phone. Learned APP submitted that mobile phone has been handed over in terms of the order passed by this Court and same has been sent to forensic laboratory and the reports are awaited. Considering the nature of the allegations and as prima facie it appears that the relationship is consensual, in my opinion, custodial interrogation of the applicant is not necessary. Hence, the following order.

ORDER

i) The interim order passed by this Court on 11/02/2020 is confirmed.

ii) In the event of arrest of the applicant in connection with the C.R. No. 0236/2019 registered with Bhayander Police Station, he shall be released on executing P.R.bond for the sum of Rs.25,000/- with one or more sureties in the like amount.

iii) The applicant shall report to the Investigating Officer as and when called.

iv) The applicant shall furnish particulars of his residential address and mobile contact number to the Investigating Officer.

v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

4. The application is disposed of.

(M. S. KARNIK, J.)