

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.290 of 2020

Meenabai Vishwanath Mandhare	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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Mr.Aniket Vagal for the applicant.
Mr.S.H. Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 17th AUGUST, 2021

P.C:-

1 The applicant is a woman aged 50 years and she is charge-sheeted in C.R.No. 12 of 2019 registered with Chinchwad police station, District Pune by invoking Section 363, 366, 366A, 368, 370A, 420 of IPC. In connection with the said C.R, she was arrested on 18th January 2019. On the charge-sheet being filed, the C.R is culminated in Sessions Case No.289 of 2019.

2 The complainant is the uncle of the victim girl who was residing with him and on 10th June 2019 by informing the uncle that she is going to visit her elder sister at Ahmednagar, she left the house but did not report there and went missing. Hence,

a missing complaint was lodged by the uncle and during investigation, it was revealed that the victim girl was taken by the applicant to Indore and Rajasthan to get her married and it is alleged that she eventually got the girl married in Rajasthan by accepting an amount of Rs.One Lakh. The applicant is also charged for forging the papers for solemnizing the marriage and since the girl was minor, the provisions of Child Marriage Restraint Act, are invoked. She came to be arrested on 18th January 2019 in connection with the said C.R.

3 When the Application was being heard, the learned APP was asked to ascertain about the present status of the victim girl and it was informed by the learned APP that the girl on being rescued was brought back to her uncle. The Investigating Officer recorded the statement of the victim girl on 9th August 2021 who state that she got married to one person and is residing with him at Thergaon, Pune since last four months. The victim girl who is now aged 20 years state that the present applicant and her associate Badshah Patidar had sold her for Rs.One lakh and got her marriage solemnized with one Jitendra Tailor. However, she was rescued by Chinchwad Police and she was residing in Chaitanya Mahila Mandal, Mulshi, Pune. She got married to the person named by her on 3rd August 2020 and since then, she is residing with the family of her husband and now is in her family way. She also state that she has no contact with Jitendra Tailor.

4 In the wake of the said statement, since the things have now moved on and the victim girl is happily married and there is no allegation of the victim girl being subjected to any sexual assault, awaiting the trial, the applicant is entitled to be released on bail since she remain incarcerated since 18th January 2019.

Investigation is complete and there is no apprehension expressed that the applicant will not attend the trial as she is resident of Chinchwad, District Pune. Hence, the following order :-

O R D E R

- (a) The Applicant – Meenabai Vishwanath Mandhare in connection with C.R.No.12 of 2019 registered with Chinchwad police station shall be released on bail on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.

- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade her from disclosing the facts to Court or any Police Officer. The Applicant should not tamper with evidence.

(c) The Applicant shall make herself available as and when required by the Investigating Officer.

6 The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J