

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

ANTICIPATORY BAIL APPLICATION NO.463 OF 2021

Vishal Balkrishna Jadhav	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Vaibhav R. Gaikwad, Advocate for the Applicant.
Smt. J.S. Lohokare, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 17th FEBRUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.508/2020 registered at Karad Taluka Police Station, District-Satara on 2.12.2020 under Sections 420, 500, 506 read with 34 of the Indian Penal Code.

2. The first informant had given her complaint against the present Applicant. She has stated that she got friendly with the Applicant when she was studying in the college. Their friendship turned into a love affair. It is her

case that the Applicant represented to her that he was from an upper caste and they had a big family house at Chiplun. He had told her that he was about to get a good job at Pune. The Applicant's parents met the informant in January, 2020. They also made the same representation. The first informant decided to marry the Applicant. She told his parents to meet her parents. On 8.2.2020, the Applicant met her in her college. He took her to one marriage hall. There were five friends and one priest who were present in the marriage hall. The Applicant told her that there was some difficulty in his house and that they should shoot photographs showing that they had married. It is her case that he threatened to commit suicide if she did not comply. Thereafter some photographs were taken showing that they were married. It is her case that subsequently he kept on harassing her on the basis of those photographs. Thereafter, the Applicant sent a notice mentioning that they were married and she should not marry anybody else. The informant realized that she was cheated and, therefore, she lodged her FIR.

3. Heard Shri Vaibhav Gaikwad, learned Counsel for the Applicant and Smt. J.S. Lohokare, learned APP for the State.

4. Learned Counsel for the Applicant submitted that the story in the FIR is completely false. The Applicant and the first informant had indeed got married at Agatya Multipurpose Hall at Karad. A copy of the affidavit executed by the informant, is annexed to this application at Page-18.

5. Learned Counsel for the Applicant invited my attention to various photographs, copies of which are attached to this application from Page-22 onwards.

6. He also invited my attention to an application for conjugal rights filed by the Applicant on 1.6.2020 in the Court of Civil Judge, Senior Division at Karad vide H.M.P No.101/2020. The Applicant had also filed R.C.S. No.292/2020 in the same Court for mandatory injunction against the present informant. He submitted that after all these proceedings, the first informant has lodged this FIR as a

counter blast.

7. Learned A.P.P, on the other hand, opposed this application. She submitted that after the Applicant's parents were granted anticipatory bail they did not report to the police station as directed and, therefore, the Applicant's anticipatory bail application should be rejected.

8. I have considered all these submissions. The copies of photographs attached to this Application sufficiently show that the informant had happily posed for those photographs. There was no coercion involved.

9. There is a copy of the affidavit executed by the informant showing that they had got married. The Applicant has also filed the proceedings for restitution of conjugal rights and mandatory injunction against the informant. After all this, the informant has filed this complaint. Her case that she was forced to marry also does not seem probable as according to her there were five friends and a priest in the marriage hall. She has not raised any objection. In this background, hardly

any case is made out against the present Applicant. The fact that the parents of the Applicant are not attending the police station cannot be held against the present Applicant. The custodial interrogation of the present Applicant is not necessary. He can be protected by an order of anticipatory bail. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.508/2020 registered with Karad Taluka Police Station, District-Satara, the Applicant is directed to be released on bail on his furnishing a PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)