

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

ANTICIPATORY BAIL APPLICATION NO. 540 OF 2020

Ajit Kumar

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Pankaj S. Pandey for Applicant.

Mrs. J. S. Lohokare, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 25th JANUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 58 of 2020 registered at Kharghar Police Station, Navi Mumbai, on 16/02/2020, under sections 452 and 354 of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Pankaj Pandey, learned counsel for the applicant and Mrs. Lohokare, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by the aggrieved person herself. She has stated that, she

was residing at Kharghar with her husband, daughter, husband's parents and brother. On 15/02/2020, at about 5.30p.m. she was at home. No one else was in the house. The applicant who was a neighbour, came to her house and suddenly told her that he liked her and held her hand. The informant raised shouts. He then pleaded with her that, she should not disclose this incident to anybody and that he would never show his face to her again and then he left the place. On this basis, the F.I.R. is lodged.

4. The learned counsel for the applicant submitted that the incident is old. The F.I.R. itself shows that the applicant had left the place on his own. The incident did not escalate any further.

5. The learned APP, on instructions, makes a statement that since February, 2020 till today no further untoward incident had taken place between the parties.

6. I have considered these submissions. The incident is old. It has taken place in the month of February, 2020. The narration itself shows that the applicant had left the house on his own. He had expressed his regret and had pleaded with her not to disclose that incident to anybody. He had not threatened her. The

incident did not escalate to any higher degree. For about a year, no untoward incident is reported between the parties. In this view of the matter, custodial interrogation of the applicant in this particular case will not make any further progress in the prosecution case than what is mentioned in the F.I.R. Therefore, the applicant can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No. 58 of 2020 registered at Kharghar Police Station, Navi Mumbai, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) The applicant shall not try to contact and harass the first informant, in any manner.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)