

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.113 OF 2018

Anita Sunil Bari	Applicant
versus	
Kamlesh Bhadai Yadav (Baljit) and another	Respondents

None for applicant.
Mr.Y.Y.Dabake, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 13th August 2021

PC :

1. This is an application for cancellation of bail granted to respondent no.1 vide order dated 26-12-2017 passed by Additional Sessions Judge-1, Vasai. The original is the original complainant. The FIR was registered vide CR No.189 of 2017 with Arnala Sagri Police Station for offence u/s.376, 417 and 504 of IPC.

2. The case of complainant is that she got acquainted with respondent-accused in 2013. There was love affair between them. She was taken to lodge. There was physical relationship under pretext of marriage. Thereafter she went to several lodges. She was subjected to sexual assault. They were residing together. Accused left her company.

3. Respondent no.1 preferred application for anticipatory bail which was allowed by order dated 26-12-2017. Learned Judge while allowing said application had observed that material facts and circumstances were considered and prima facie it appears that the

complainant is married. She is able to understand the consequences of her own act. The complainant and accused reside together and considering the factual aspects, custodial interrogation is not necessary.

4. On perusal of documents on record, the contention of applicant and the impugned order, I do not find any reason to interfere in the order granting anticipatory bail to respondent no.1. The order was passed in 2017. Apparently investigation must have been completed. There is no ground for setting aside the impugned order. Hence, this application is rejected.

(PRAKASH D. NAIK, J.)

MST