

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

BAIL APPLICATION NO. 1342 OF 2021

Amitkumar Anilkumar Choudhary	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Ms. Tripti R. Shetty, Advocate for the Applicant.
Mr. A. R. Kapadnis, APP for the Respondent – State.
Mr. Pramod K. Kashid, Sakinaka Police Station, Present.

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CORAM	:	PRAKASH D. NAIK, J.
DATE	:	8th APRIL, 2021

PER COURT:

1. The applicant was arrested on 10th December, 2020 in connection with C.R. No. 1315 of 2020 registered with Sakinaka Police Station for offences under Sections 376, 504 & 506 (II) of Indian Penal Code. (for short "IPC")
2. The case of the complainant is that the complainant used to visit the house for repairing computer. They got acquainted with each other. They developed friendly relationship. There was physical relationship between them. In August, 2019, the victim was subjected to physical relationship under coercion. She did not inform the incident to her husband. The accused threatened her that the relationship is disclosed to her husband. On 3rd December, 2020, the

applicant/accused called the complainant's husband and threatened him that photographs of the victim would be made viral. On completing investigation, charge-sheet is filed.

3. From the First Information Report (for short "FIR"), the history provided by the complainant at the time of medical examination and other documents on record it is apparent that the relationship was of consensual. The victim is married lady aged about 33 years.

4. Learned APP however, submitted that the conduct of the applicant required to be looked into. The victim was subjected to physical relationship. Since she refused to continue the relationship, the applicant had threatened her husband.

5. As stated above the facts on record which are borne out from the documents makes it clear that it was a consensual relationship. Further detention of the applicant is not necessary.

ORDER

- (i) Criminal Bail Application No. 1342 of 2021 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No. 1315 of 2020 registered with Sakinaka Police Station on executing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report concerned Police Station once in three months on first Saturday of the month between 11:00

a.m. to 1:00 p.m. till further order;

(iv) The applicant is permitted to furnish provisional cash bail security in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.

(v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)