

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

BAIL APPLICATION NO.1530 OF 2021

Hujaif Sikandar Khan	.. Applicant
<i>Versus</i>	
State of Maharashtra	.. Respondent

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Mr.Satyam R. Gaud, Advocate for the Applicant.

Mr.A.R. Kapadnis, APP for the Respondent – State.

PSI Deshmukh, Pairavi Officer, Nagpada Police Station, Mumbai,
present.

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CORAM : PRAKASH D. NAIK, J.

DATED : APRIL 21st, 2021.

P.C. :

The applicant is arrested on 12th January, 2021, in connection with C.R.No.8 of 2021, registered with Nagpada police station, Mumbai, for the offence punishable under Section 376(2)(f) of Indian Penal Code and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act.

2 First Information Report was registered on 12th January, 2021, at the instance of mother of the victim. Statement of victim was recorded on the same day. The victim is a girl aged about 17 years. She has alleged that there was friendship

between the victim and the applicant. Applicant had promised her that he would perform marriage with her. There was physical relationship between them. Subsequently, he refused to perform marriage.

3 The contention of the applicant is that the applicant is a boy aged about 20 years. The complainant is aged about 17 years. They were in relationship. He relied upon the photographs and the WhatsApp chat.

4 Learned APP submitted that under the pretext of marriage, the applicant had induced the victim girl to have physical relationship. Subsequently, he refused to marry.

5 On perusal of the documents on record, it is apparent that the applicant and the victim were closely acquainted with each other. They were in relationship. There was physical relationship between them. Investigation is completed and charge-sheet is filed. Further detention is not necessary.

9 Hence, I pass the following order:

:: ORDER ::

- (i) Bail Application No.1530 of 2021, is allowed;

- (ii) Applicant is directed to be released on bail in connection with C.R.No.8 of 2021, registered with Nagpada police station, Mumbai, on executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall report concerned police station once in a month on first Saturday of the month between 11:00 a.m. to 01:00, till framing of charge;
- (iv) Applicant shall not approach the victim and shall not enter in the vicinity of the victim residence;
- (v) 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;
- (vi) Bail Application No.1530 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)