

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

ANTICIPATORY BAIL APPLICATION NO.891 OF 2020

Ravi Satyanarayan Sharma

.. Applicant

Versus

State of Maharashtra

.. Respondent

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Mr.Vishal L. Kolekar, Advocate for the Applicant.

Ms.Anamika Malhotra, APP for the Respondent – State.

PSI Mundhare, Dindoshi Police Station, Malad East, Mumbai,
present.

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 12, 2021.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.192 of 2020, registered with Dindoshi police station, Mumbai, for the offences punishable under Section 354 (D) of Indian Penal Code (“IPC”, for short) and Section 8 of Protection of Children from Sexual Offences Act (“POCSO Act”, for short).

2 First Information Report (“FIR”, for short), is lodged by the victim, aged 16 years and 6 months at the relevant time. She has alleged that the applicant was harassing her since November 2018. The immediate cause for lodging the FIR was a

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WhatsApp call made by the Applicant at 2:00 a.m., on 23rd April, 2020.

3 Learned counsel for the applicant submitted that the offence under Section 354-D is bailable offence. Section 8 of POCSO Act, relates to sexual harassment. I have perused the statement of victim recorded under Section 161 of Cr.P.C. on 23rd April, 2020, and, statement recorded under Section 164 of Cr.P.C. on 11th August, 2018. There is variation in both the statements. In the statement under Section 164, the victim has alleged that the accused had told her to send semi nude photo. This fact was not reflected in the previous statement. Applicant need not be subjected to custodial interrogation.

4 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.891 of 2020, is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R.No.192 of 2020, registered with Dindoshi police station, Mumbai, the applicant be released on bail 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 the investigating officer, as and when called;

(iv) Anticipatory Bail Application No.891 of 2020, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)