

BDP-SPS-TAC

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 4 OF 2021**

Ayush Arun Pandey

....Applicant.

V/s

State of Maharashtra & Anr.

.....Respondents

Mr. Madhukar P. Dalvi i/b Tanveer Khan for the Applicant.

Mrs. Rutuja Ambekar, APP for Respondent No.1.

Mr. Bhomesh R. Bellam i/b Gayatri Gokhale for Respondent No.2.

CORAM: NITIN W. SAMBRE, J.

DATE: NOVEMBER 23, 2021

P.C.:-

1] On 13th October, 2021 after having heard parties, this Court observed that Applicant intends to surrender his mobile and also disclose details of his friends who are named in the FIR in relation to the alleged incident dated May 19, 2019. As such, Applicant has shown his bonafides of cooperating with the Investigating Agency.

2] It appears that the Applicant and the complainant were in love relation up to 2019. Having parted ways, they again planned to work together on certain business venture. However, it is alleged that Applicant tried to outrage the modesty of the complainant on 19/5/2019 and made call on her mobile and abused her on 7/12/2020.

3] In view of aforesaid observation of cooperation by the Applicant

with the Investigating Officer and the undertaking given by the Applicant that Applicant shall not directly or indirectly establish any contact with the complainant which is accepted as an undertaking to the Court, in my opinion, case for confirming the ad-interim protection is made out. One more aspect of which this Court must take a note of is, unexplained delay caused in lodging the FIR.

4] As such, order of ad-interim protection dated 7/1/2021 stands confirmed. Application is allowed on the following terms.

(i) In the event of his arrest in connection with C.R. No.894/2020, the Applicant is directed to be released on bail on his executing P.R. Bond in the sum of Rs 25,000/- (Rupees Twenty Five Thousand only) with one or two sureties in the like amount.

(ii) Applicant shall attend the concerned Police Station from 6th December, 2021 to 9th December, 2021 between 10.00 A.M. and 12.00 Noon and thereafter as and when directed by the Investigating Officer. Applicant shall not enter the jurisdiction of the concerned Police Station till the charge is framed.

5] Application is accordingly disposed of.

(NITIN W. SAMBRE, J.)