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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2792 OF 2021

Praveen Nagesh Jarde ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Satyawrat Joshi a/w Mr. Sumant Deshpande i/b Mr. Sunil S. Kamble,
for the Applicant.

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

Mr. Kunal Shinde, for the Informant.

Ms. Vrushali Patil, API , attached to Kothrud Police Station, Pune City
present.

CORAM : V. G. BISHT, J.

DATE : 25th November, 2021.

PC:

The applicant is seeking Anticipatory Bail in connection with C.R.
No. 208 of 2021 registered with Kothrud Police Station, District-Pune,
for the offences punishable under Sections 376, 376(2)(n), 376(2)(a)
(2), 323, 504, 506 of the Indian Penal Code.

2 It is the case of the prosecution that the applicant is a police

officer. The informant had been to police station regarding a complaint against her brother. Thereafter, both of them got acquainted with each other and fell in love. The prosecution alleges that the applicant expressed his desire to marry with informant and then started maintaining physical relations. Ultimately, he refused to marry her.

3 Mr. Joshi, learned Counsel for the applicant, submits that the complaint in question came to be filed out of some misunderstanding and that the informant has no grudge against the applicant.

4 Ms. Malhotra, learned APP, on the other hand, also submits that the difference arose out of love affair between the applicant and the informant. Therefore, an appropriate order may be passed.

5 Mr. Shinde, learned Counsel for informant, has filed an affidavit of informant on record wherein she states that due to misunderstanding and in a fit of rage she filed complaint against the applicant and now, she has no complaint and grudge against the applicant.

6 Having regard to the nature of accusation and as also the fact that the applicant is grown up lady knowing fully well the consequences of

the relationship which she entertained with the applicant, in my considered opinion, there is no necessity of custodial interrogation of the applicant. Even otherwise in the light of affidavit filed by the informant, it is clear that the complaint was filed out of misunderstanding and in a fit of rage.

7 In such circumstances, I am inclined to allow the application. Hence, the following order.

ORDER

(i) Application is allowed.

(ii) In the event of arrest of the applicant/accused Praveen Nagesh Jarde in C.R. No. 208 of 2021 registered with Kothrud Police Station, District-Pune, for the offences punishable under Sections 376, 376(2)(n), 376(2)(a)(2), 323, 504, 506 of the Indian Penal Code, the applicant be enlarged on bail on his furnishing PR & SB in the sum of Rs.20,000/- with one or two sureties.

(iii) Application stands disposed of accordingly.

(V. G. BISHT, J.)