

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2862 OF 2021

Mohammed Kadeem Siddique Qureshi ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Hemant P. Ingle for Applicant.
Ms. A. A. Takalkar, APP for Respondent-State.
Mr. D. B. Kadu, P.S.I. from Shivaji Nagar Police Station.

CORAM : NITIN W. SAMBRE, J.
DATE : NOVEMBER 30, 2021

P.C. :

By this application, the applicant / accused is seeking pre-arrest bail in C.R.No.876 of 2021 registered with Shivaji Nagar Police Station, Mumbai for offences punishable under Sections 376, 376(2)(N), 417 and 506 of the Indian Penal Code.

2. The case of the prosecution is that the complainant developed intimacy with the applicant and it is claimed that applicant under promise to marry sexually exploited her. I am informed that the applicant has co-operated in the investigation of crime.

3. Counsel for the applicant, on instructions, made a statement that applicant shall surrender his mobile immediately to the Investigating Officer. Said statement is accepted.

4. Considering the allegations made, the long standing relations between the applicant and the complainant and the belated lodging of F.I.R., false implication cannot be ruled out. Apart from above, the material on record depicts that there was a consensual relationship between the applicant and the complainant.

5. In that view of the matter, in the event of the arrest of the applicant in C.R.No.876 of 2021 registered with Shivaji Nagar Police Station, Mumbai for offences punishable under Sections 376, 376(2)(N), 417 and 506 of the Indian Penal Code, he be released on furnishing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount. Applicant shall attend the Investigating Officer from 1st to 7th December, 2021 between 10:00 a.m. to 12 noon and thereafter as and when directed by the Investigating Officer. Applicant shall not establish contact directly or indirectly with the victim or her family members and shall not influence or tamper with the evidence.

6. Application is disposed.

(NITIN W. SAMBRE, J.)

Minal Parab