

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

ANTICIPATORY BAIL APPLICATION NO. 1946 OF 2018

Ankit Chauhan ...Applicant

Versus

The State of Maharashtra ...Respondent

**WITH
CRIMINAL APPLICATION NO. 1389 OF 2018
IN
ANTICIPATORY BAIL APPLICATION NO. 1946 OF 2018**

Pritisha Rakesh Shrivasta ...Intervener

IN THE MATTER BETWEEN

Ankit Yatendra Chauhan ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

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Mr. Shashikant Chaudhari a/w. Mr. P. Pawar i/b. Maharashtra Law Associates, for the Applicant.

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

Mr. Varun M. Pandey i/f. V. K. Dubey Asso., for Intervener.

Mr. Santosh k. A.P.I., Goregaon Police Station.

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd MARCH, 2021.

PC :

. The applicant apprehends arrest in C. R. No.442 of 2018. The

F.I.R was lodged on 16th August 2018 with Goregaon Police Station,

Mumbai under Sections 376(2)(n), 313, 417, 323, 504, 501 of Indian Penal Code.

2. The applicant preferred application for anticipatory bail before Sessions Court which has been rejected on 12th September 2018. It is alleged that the F.I.R. was lodged belatedly. It is alleged that there was physical relationship between the applicant and complainant. They were acquainted since 2017. The applicant had promised her that he would marry her and under pretext of marriage developed physical relationship with her. On several occasions, there was physical relationship between them. She had aborted.

3. Learned Counsel for applicant relied upon Whats App messages and e-mails sent by complainant to the applicant.

4. The applicant was granted interim protection by Order dated 21st September 2018. The learned Counsel for the applicant submitted that the applicant had complied with directions of attending Police Station and also handed over mobile phone.

5. Learned APP submitted the investigation is completed and the chargesheet is also filed.

6. Learned Counsel for the complainant/intervener submitted that the applicant had threatened the complainant and she had

lodged the complaint to the police whereas, learned Counsel for the applicant submits that the complainant had slapped the applicant on the road and complaint in that regard is lodged with the Police Station on 4th August 2018 and 9th October 2018 against the complainant. He relied upon the copies of N.C. complaints.

7. Considering the aforesaid aspects, the interim protection granted to the applicant can be confirmed.

8. Hence, the following order.

ORDER

- (i) Anticipatory Bail Application No.1946 of 2018 is allowed;
- (ii) Interim order dated 21st September 2018 is confirmed.
- (iii) In the event of arrest of the applicant in connection with C.R.No.442 of 2018 registered with Goregaon Police Station, Mumbai, the applicant be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iv) Anticipatory Bail Application No.1946 of 2018 stands disposed of.

9. This order will be digitally signed by the Private

Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)