

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 119 OF 2021

Dhiraj s/o Ramesh Solanke

..Versus..

State of Maharashtra, thr. P.S.O.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.R. Agrawal, Advocate for Applicant.
Ms. N.P.Mehta, A.P.P. for Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : 26/04/2021

Hearing was conducted through Video
Conferencing.

2. Heard. The Applicant/accused is arrested in Crime No.1016 of 2020 registered with Frezarpura Police Station, District Amravati for the offences punishable under Sections 363, 376 (2)(n), 376-D and 506 of the Indian Penal Code. The Applicant claimed bail on the ground of innocence, false implication and completion of investigation. The State resisted bail by filing reply affidavit.

3. The victim/informant is a grown-up lady aged 30 years who alleged that the Applicant took the victim under the guise of providing household work

and sexually abused her. The victim/informant lady has not given the date on which the incident occurred, but she stated that the things did happen in the month of April, 2020. The informant lady further stated that in the month of October, 2020, the Applicant again called the victim, but she refused and then lodged a report. There are also allegations that the Applicant threatened her to make viral her video recording.

4. Learned Counsel for the Applicant pointed towards N.C. report dated 20.10.2020 which was lodged by informant prior to the existing First Information Report which does not bear any disclosure regarding occurrence. The said report is only about the telephonic abuses. Pertinent to note that, the victim has refused to undergo medical examination after filing of report. Moreover, the Applicant has produced copy of Criminal Application Stamp No.2165 of 2021 jointly filed by the Applicant, co-accused and the informant/victim seeking to quash the First Information Report in terms of Section 482 of Code of Criminal Procedure. The said application was verified by the victim before the Superintendent

of District Court, Amravati.

5. Having regard to all these facts, the Applicant is entitled for bail, hence the following order :

- (a) The Criminal Application is allowed.
- (b) The Applicant/accused Dhiraj s/o Ramesh Solanke is release on bail in connection with the Crime No.1016 of 2020 registered with Frezarpura Police Station, District Amravati relating to the offence punishable under Sections 363, 376 (2)(n), 376-D and 506 of the Indian Penal Code on his furnishing P.R. bond of Rs.25,000/- with one or two sureties in the like amount.
- (c) The Applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

JUDGE

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