

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

CRIMINAL APPLICATION [ABA] NO.212 OF 2020

[Balram Ramsingh Dica .vs. The State of Maharashtra, through PSO, PS Dabki Road, District-Akola]

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

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for the applicant,
Shri M.K. Pathan, APP for the respondent.

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CORAM : N.B. SURYAWANSHI, J.

DATED : JUNE 28, 2021.

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. The applicant apprehends his arrest in Crime No.34/2020 registered with Police Station, Dabki Road, Akola for offences under Sections 354, 354-A, 354-D r/w Section 34 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. It is alleged by the informant that her daughter (victim) is taking education in 10th Standard and she used to go for tuition. The present applicant along with juvenile accused used to follow her and taunt her. On 21.2.2020 at about 2.00 pm, the victim told her that around 7.00 am, when she was doing routine work at home, the applicant along with juvenile accused came there and both of them misbehaved with her. Accordingly, the FIR is lodged.

4. Heard the learned advocate for the applicant and the learned APP for the respondent-State. Perused the case diary.

5. The applicant claims that juvenile accused, the cousin of the applicant, had love affair with the victim and he has placed on record love letters written by the victim to the juvenile accused.

6. *Prima facie*, it appears that the parents of the victim were annoyed by the love affair between the juvenile accused, hence they implicated the applicant and the juvenile accused in the present FIR.

7. The applicant was granted interim protection, vide order dated 3.4.2020. The applicant has attended the Police Station, as directed by this Court.

8. The learned APP makes a grievance that the applicant has failed to execute the personal bond.

9. Taking into consideration the allegations in the FIR and the investigation papers, pre-trial arrest and detention of the applicant is not necessary in the present case. Hence, the following order :

i. Criminal Application No.212/2020 is allowed and disposed of by confirming the interim order dated 3.4.2020.

ii. By attending the Police Station, the applicant shall execute P.R. Bond in the sum of Rs.5,000/- with one surety in the like amount, in terms of the directions

dated 3.4.2020.

iii. Till filing of the charge-sheet, the applicant shall attend the concerned Police Station on every Sunday between 10.00 am to 12.00 noon.

iv. The applicant shall not make any attempt to influence the witnesses or tamper with the prosecution evidence.

(N.B. Suryawanshi, J.)