

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION (ABA) NO.278 OF 2021**

Milind @ Vicky Raghunath Babar

...**Versus**...

State of Maharashtra through P.S.O., P.S. Gadge Nagar, Dist.
Amravati.

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

Court's or Judge's

Shri. T. U. Tathod, Advocate for applicant
Shri. A. R. Chutke, APP for Respondent/State.

CORAM : **N. B. SURYAWANSHI, J.**
DATE : **16th JUNE, 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.0230 of 2021 registered with Gadge Nagar Police Station, Amravati for the offences punishable under Sections 376(2)(n), 453, 323 and 506 of the Indian Penal Code.

3. Informant lodged a report on 17.02.2021 alleging that the applicant kept physical relations with her between 14.02.2021 to 17.02.2021 by threatening her with knife.

4. Heard the learned Advocate for the applicant and the learned Addl. Public Prosecutor

for respondent/State. I have perused the Case Diary.

5. Earlier on 17.09.2019, the informant had lodged F.I.R. against the applicant which was registered at Crime No.972 of 2019 with Frezarpura Police Station, Amravati for the offences punishable under Sections 376(2)(n), 323, 294 and 506 of the Indian Penal Code.

The said F.I.R. was quashed on the joint criminal application filed by the informant and the applicant bearing Criminal Application (APL) No.1085 of 2019 by this Court vide order dated 10.10.2019.

6. The mother of the applicant from time to time lodged the reports between 22.10.2019 to 28.03.2020 against the informant alleging that the informant was threatening to implicate her family in false cases. The said reports were registered as N.C.R.

7. Taking into consideration the allegations in the F.I.R. and the earlier matter, *prima facie*, the allegations of the informant appear to be after thought. There appears every possibility that with a view to pressurize the applicant and his family members, the present F.I.R. is lodged.

8. The applicant was granted interim protection on 03.05.2021 and the applicant has

attended the Police Station and has co-operated in the investigation. Further custodial detention or interrogation of the applicant is not necessary in the facts of the present case. The application, is therefore, allowed in terms of the interim order dated 03.05.2021.

9. The applicant shall attend the concerned Police Station as and when called by the Investigating Officer, till filing of the charge sheet.

(N. B. SURYAWANSHI, J.)

TAMBE