

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

Criminal Application (ABA) No.292/2021

Sudhir Jadhao V State of Maharashtra

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Shri R.J. Shinde, Adv for applicant.
 Shri M.J. Khan, APP for State.

CORAM : S.M. MODAK, J.

DATE : 06th JULY, 2021.

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

2. Heard learned Advocate Shri R.J. Shinde for the applicant and learned APP Shri Khan for the State.

3. This Court has granted ad-interim protection as per order dated 07-05-2021. I am inclined to continue it. There are two reasons for that. One is, not only the applicant is prosecuted for sexually abusing the victim but there is also an offence registered against the brother of victim namely Rameshwar Narsingh Rathod. The offence of sexual abuse took place on 20-02-2021 after 5.30 pm. The applicant came to the grocery shop and sexually abused the victim by pressing her breast. This offence was registered on 21-02-2021 at Digras Police Station whereas, the offence against Rameshwar took place on 20-02-2021. Accused Rameshwar assaulted the present applicant

Sudhir. The offence was registered on 21-02-2021 to the same Police Station.

4. So there is a version and counter version to the incident. One more development that took place afterwards which is the victim, her mother and father informed to Police that they have settled the dispute and complaint was lodged in the hit of anger. In the said order it was told by this Court to the prosecution that to verify this fact. It is true that the prosecution has filed an additional affidavit and thereby denied giving of any intimation. It is clarified by learned Advocate Shri Shinde for the applicant that initially it was not informed but later on it was informed.

5. Considering all these circumstances, the ad-interim bail needs to be confirmed. The applicant and the victim have decided to file a quashing petition and the same is submitted through learned Advocate Shri Shinde for the applicant. It is accepted. No opinion is expressed about the claim and counter claim. Hence, the following order is passed :-

ORDER

- (a) The ad-interim bail granted by this Court on 07-04-2021 is confirmed.
- (b) The applicant to attend the Digra Police Station on every Saturday from 10.00 am to

12.00 noon until filing of chargesheet.

6. Application is disposed of.
7. As the main application is disposed of finally, Criminal Application (APPP) No.754/2021 has become infructuous. Hence, it is disposed of as infructuous.

JUDGE

Deshmukh