

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

CRIMINAL APPLICATION (ABA) NO. 301 OF 2021

Umesh Dnyaneshwar Bhad

...Versus...

State of Maharashtra, Through PSO, P.S. Jalgaon Jamod,
Distt. Buldhana

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

Court's or Judge's orders

Shri R.K. Karode, Advocate for the applicant
Shri M.K. Pathan, APP for non-applicant/State

CORAM : N.B.SURYAWANSHI, J.
DATE : 02/07/2021

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. 0272 of 2021, dated 20/04/2021, registered with Jalgaon (Jamod) Police Station, District Buldhana for the offences punishable under Sections 354, 341, 323 and 504 of the Indian Penal Code and under Sections 8 and 12 of the Protection of Children from Sexual Offences, Act, 2012.

3. It is alleged by the informant who happens to be a minor, that she knows the applicant. On 14/04/2021, the applicant gave threat of life to her.

Therefore, she lodged complaint against him in the Police Station. On 16/04/2021, at 2.00 – 2.30 p.m. while the informant was returning from the field along with her mother who was behind the informant, the applicant came on a motor cycle and with ill intention he caught her hand and by embarrassing her kissed her on cheek.

4. Heard the learned Advocate for the applicant and the learned Additional Public Prosecutor for the State. Perused the case diary.

5. *Prima facie* it appears that there was a love affair between the applicant and the victim and the same was not liked by her parents. Therefore, the instant F.I.R. was lodged. The investigation papers indicate that investigation is nearing completion and charge-sheet is likely to be filed in the near future.

6. Considering the nature of the allegations pre-trial, custodial detention of the applicant is not necessary. The applicant was granted interim protection vide order dated 18/06/2021 and it is not disputed that the applicant has attended the Police Station and cooperated in the investigation.

7. In that view of the matter, Criminal Application No. 301/2021 is allowed by confirming the interim order dated 18/06/2021.

8. Till filing of the charge-sheet the applicant shall not stay in the village Sungaon, Tah. Jalgaon Jamod, District Buldhana.

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

10. The applicant shall not tamper with the prosecution evidence.

JUDGE