

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

CRIMINAL APPLICATION (ABA) NO.284 OF 2020

(Bhujang s/o Panjabrao Samdurkar Vs. State of Maharashtra thr. PSO PS Khapa,
Nagpur (Rural), Dist. Nagpur)

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

Court's or Judge's orders.

None for Applicant.
Mr. N.R. Rode, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 9th JANUARY, 2021.

None appears on behalf of the applicant.

2. The applicant is apprehending arrest in Crime 201/2020 registered with the Police Station Khapa, Nagpur for offence punishable under section 376 of the Indian Penal Code.

3. The crime is registered on the basis of report dated 27.06.2020 lodged by one Mrs. 'N'. The gist of the report is that while the informant was alone at her residence, the applicant entered the house on the pretext of checking the water tap connection, demanded sexual favour, and when the informant refused to oblige, subjected her to forcible sexual intercourse.

4. The applicant is an employee of the Gram Panchayat. The informant appears to have changed her

version in the statement recorded subsequent to the registration of the crime and she alleged that the applicant demanded bribe. In the later statement, the allegation of rape is conspicuous by its absence. Even otherwise, from the material on record, the applicant has made out a case for exercise of discretion. The investigation is virtually complete and even according to the prosecution, custodial interrogation is not necessary, is a statement made by the learned APP Mr. Rode on instructions received from the Investigating Officer.

5. The interim protection granted vide order dated 24.08.2020 is made absolute.

JUDGE