

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

CRIMINAL APPLICATION NO. 20 OF 2018

Sau. Karuna w./o Vinod Dige ..vs..State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri V.R. Borkar, Advocate (appointed) for applicant.
Shri I.J. Damle, A.P.P. for non-applicant no.1/State.
Shri Pranav Deshmukh, Advocate h/f Shri R.L. Khapre,
Advocate for non-applicant no.2.
Shri Abhishek S. Shukla, Advocate for non-applicant nos.3 & 4.

CORAM : VINAY JOSHI, J.

DATED : 17/09/2021

Heard.

The applicant/victim is seeking for cancellation of regular bail granted by the Sessions Court to non-applicant no.2 vide its order dated 09.05.2017 and pre-arrest bail to non-applicant nos. 3 and 4 vide its order dated 19.05.2021.

2. Perused impugned orders and the report dated 29.04.2017 lodged by the applicant/victim lady aged 32 years. After 17 years from the first alleged incident of forcible sexual intercourse, the report has been lodged. Though, the victim as well as non-applicant no.2 married in the year 2002 separately, still there are vague allegations that during the period from 2002 to 2016, non-applicant no.2 had sexually exploited her. *Prima facie*, there is no substance in the allegation nor requirement of custodial interrogation.

3. Both sides are not sure whether charge-sheet has been filed. The impugned order is well reasoned.

The criteria for cancellation of bail are stringent one. There is no material to indicate that non-applicants have misused liberty while on bail. Devotion of more time to this merit-less application, would be futile. The application being devoid of merit, hence, stands rejected.

4. Fees of learned appointed Counsel for the applicant, be paid as per Rules.

JUDGE

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