

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

CRIMINAL APPLICATION (BA) NO. 1293 OF 2020

(Shri Aadar Kishor Wankhede vs. State of Maharashtra thr. PSO, Bajaj Nagar PS, Nagpur)

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

Court's or Judge's orders.

Shri Raju Kadu, Advocate for the applicant.
Shri S.S. Jachak, APP for the non-applicant – State.

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CORAM : PUSHPA V. GANEDIWALA, J.
JANUARY 08, 2021.

Heard Shri Kadu, learned counsel for the
applicant and Shri Jachak, learned APP for the non-
applicant – State.

2. The applicant – Aadar Kishor Wankhede, who is said to be arrested on 21.11.2020 is seeking bail in Crime No. 206 of 2020 dated 17.09.2020 registered by Bajaj Nagar Police Station, Nagpur, for the offence punishable under Sections 354-A, 354-D, 323, 506, 376 of the Indian Penal Code and Section 66(C)(E) and 67 of the Information Technology Act.

3. Perused the application, affidavit-in-reply and the First Information Report with the assistance of learned counsel for the parties.

3. A perusal of the contents in the First Information Report indicate illicit relationship between the prosecutrix and the present applicant for around two years as they both were working in the same office. The oral report which runs into six pages, describes about their relations and how frequently they quarreled with each other. Lastly, on 28.06.2020 when there was quarrel between the two, the applicant issued threats to the prosecutrix to burn her vehicle and to her and also assaulted her. Thereafter, along with her husband, the prosecutrix went to Police Station and lodged a complaint. In the report it is alleged that on 16.09.2020, he used his e-mail account and sent her photograph to her colleagues and her husband and also demanded sexual favours. The crime came to be registered for the aforesaid offence, however, the contents in the FIR do not make out a case of Section 354-A and 354-D of the IPC, considering the relations between the two.

4. The applicant is in jail since more than one month. Considering the nature of the offence and accusations, this Court is inclined to grant bail to the present applicant. Hence, Criminal application is allowed on the following conditions :

(i) The applicant – Aadar Kishor Wankhede, shall be released on bail on executing Personal Bond of Rs.15,000/- (Rs. Fifteen thousand only) with one surety in the like amount.

(ii) The applicant shall not issue threats or tamper the prosecution witnesses.

7. Needless to mention that the observations made in this order are strictly for deciding the present application of the applicants and the trial Court shall not get influenced by the same and shall be free to decide the matter on its merits.

JUDGE

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