

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

CRIMINAL APPLICATION (ABA) NO.778 OF 2020

(Rupesh s/o Nana Gujar Vs. The State of Maharashtra thr. PSO PS Gadge Nagar,
Amravati, Tah. & Dist. Amravati)

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

Court's or Judge's orders.

Ms. Astha Sharma, Advocate for Applicant.
Mr. N.R. Rode, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.
DATE: 2nd FEBRUARY, 2021.

The applicant is apprehending arrest in Crime 1044/2020 registered with Police Station Gadge Nagar, Amravati for offences punishable under Sections 376(2)(n), 506 and 385 of the Indian Penal Code.

2. This Court protected the applicant vide order dated 22.12.2020 subject to he attending the police station on the dates stipulated. It is not the case of the prosecution, that the applicant has not attended the police station.

3. Perused the report dated 25.11.2020 on the basis of which the crime is registered. Even according to the informant she fell in love with the accused in June, 2018. In the same breath, she alleges that in June, 2018 she accompanied the accused to Chikhaldara and at the hotel she was subjected to forcible sexual intercourse. The second

incident of sexual exploitation allegedly occurred in October, 2019, and thereafter according to the informant she stopped talking with the accused.

4. The report refers to certain photograph uploaded on social media, allegedly by the accused. I have perused the photograph. *Prima facie*, there does not appear to be anything objectionable in the photographs, *per se*.

5. Be that as it may, this is a fit case for exercise of discretion. The accused has no adverse antecedent. He is not a flight risk.

6. The interim pre-arrest protection granted vide order dated 22.12.2020 is made absolute with the only modification that till the filing of the charge-sheet, the applicant shall attend the concerned police station if required by the Investigating Officer.

JUDGE