

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

CRIMINAL APPLICATION (BA) 1210 OF 2021

(Waman s/o. Dagdu Gawai..vs..State, thr PSO, PS Balapur, District Akola)

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

Court's or Judge's orders.

Mr. A.S. Londhe, counsel for applicant.
Mr. N.S. Rao, APP for non-applicant /State.
Ms. S.H. Bhatia, counsel (appointed) to assist the victim.

CORAM: ROHIT B. DEO, J.

DATE:15.12.2021.

Heard.

2. The applicant is the father of two minor victims Miss "A" and Miss "R", who alleged that they were forcibly married to the co-accused.

3. On the basis of such allegations, Crime 344/2021 is registered with Police Station Balapur, District Akola, for offences punishable under sections 376(2)(i) read with section 34 of Indian Penal Code, Sections 4,6 of Protection of Children From Sexual Offences Act and sections 9, 11 of the Prohibition of Child Marriage Act.

4. Eight persons including the two grooms are arraigned as accused. While five are granted bail by the

Sessions Court, the two grooms are released on bail by this Court vide order dated 15.12.2021 in Criminal Application (BA) 1209/2021.

5. Considering the submission of the learned counsel Mr. A.S. Londhe that there is no material on record to suggest that sexual relationship was established, and the fact that the investigation is complete and the chargesheet is filed, I see no propriety in continue incarceration of the father of the victims.

9. This application is allowed subject to the following conditions:

(i) The applicant be released on bail in connection with Crime 344/2021, registered with Police Station Balapur, District Akola, for offences punishable under sections 376(2)(i) read with section 34 of Indian Penal Code, Sections 4,6 of Protection of Children From Sexual Offences Act, on executing PR bond of Rs. 15,000/- (Rupees Fifteen Thousand) with one solvent surety of the like amount;

(ii) The applicant shall not, directly or

indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence;

(iii) The applicant shall not leave the country without the permission of the trial Court.

Judge

Belkhede