

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 10 OF 2022

Gangadhar Nanasaheb Waghe ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Kuldeep Nikam for the applicant.

Mr. Y.Y. Dabke- APP for the State.

CORAM : C.V.BHADANG, J

DATED : 11TH JANUARY 2022.

**(THROUGH VIDEO
CONFERENCING)**

P.C. :

1. The applicant, apprehending his arrest in connection with investigation of Crime No. 273 of 2021 of police station Alandi, District-Pune under section 354 and 506 of Indian Penal Code is seeking Anticipatory Bail.

2. The prosecution case is that the informant who is a lady aged about 29 years, had gone for treatment to the *Prabhod Nisarga Upchar Centre*, where the applicant is working as medical officer. She claims that while examining her, the applicant touched her inappropriately on the chest and thereafter she was threatened not to disclose the incident to anybody. It appears that the informant was

accompanied by two of her friends who also claim that the applicant inappropriately touched the informant on the chest.

3. The learned counsel for the applicant points out that the applicant is a medical practitioner working with Prabhod Nisarga Upchar Centre since long and in all probability there was some misunderstanding by the informant and applicant was only examining the informant in order to treat her. It is submitted that the applicant has not touched the informant as claimed.

4. The learned APP has submitted that the statement of the friends of the informant also reveal that the applicant was inappropriately touched. The learned APP however, on instructions from the Investigating Officer fairly states that looking to the nature of the allegations, the custody of the applicant is not required for purpose of investigation.

5. Hence, the following order:

ORDER

- i) In the event of his arrest, in connection with the investigation of Crime No. 273 of 2021

registered with Alandi Police Station, the applicant shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The applicant shall attend the investigating agency as and when required and shall co-operate with the Investigation.

iii) The applicant shall not directly or indirectly make any attempt to contact or to influence the victim or prosecution witnesses/evidence.

iv) In the event of breach of any of the conditions, the bail is liable to be cancelled.

v) The Application is disposed of accordingly.

(C.V. BHADANG, J)