

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. ANTICIPATORY BAIL APPLICATION NO. 653 OF 2022

Amol Gautam Dhende	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr. Rahul Arote, for the Applicant.
Mr. R. M. Pethe, APP for the Respondent / State.
PSI Meenal Vitthal Shinde, Pen Police Station.

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**CORAM : C.V. BHADANG, J.
DATE : 11 MARCH 2022**

P.C.

. The Applicant, apprehending arrest, in connection with investigation of Crime No.21/2022 of Police Station Pen, District Raigad, under Section 376(2)(n) of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 4 February 2022 lodged by victim, who is aged about 34 years and was a married lady. The marriage between the informant and her husband was dissolved by consent in November 2015. A perusal of the FIR shows that the relationship between the Applicant

and the informant was consensual in nature and the informant had also conceived out of relationship which pregnancy was aborted. In short, according to the informant, Applicant and the informant were in relationship from April 2016 and according to the informant she was subjected to sexual intercourse on multiple occasions on the promise of marriage. Ultimately, when the Applicant refused to marry the informant, the complaint came to be lodged.

3. Learned APP, on instructions from the Investigating Officer, submits that the Applicant may be directed to join the investigation.

4. Considering the over all circumstances and the nature of allegations and *prima facie* having regard to the fact that relationship appears to be consensual and the submissions made on behalf of the State, the following order is passed.

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.21/2022 of Police Station Pen, District Raigad, the Applicant Amol Gautam Dhende, be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.

(ii) The Applicant shall report to the Investigating Officer on 21/3/2022, 22/3/2022 and 23/3/2022

between 11.00 a.m. to 1.00 p.m. and shall cooperate with the Investigating Agency.

(iii) The Applicant shall not directly or indirectly make any attempt to contact the informant or any other prosecution witnesses and shall not otherwise tamper with the prosecution evidence.

(iv) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.