

Vidya Amin

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

ANTICIPATORY BAIL APPLICATION NO. 1124 of 2020

Umesh Lalbahadur Vishwakarma .. Applicant
Vs.
The State of Maharashtra .. Respondent

**WITH
INTERVENTION APPLICATION (ST.) NO. 4458 OF 2020
IN
ANTICIPATORY BAIL APPLICATION NO. 1124 of 2020**

Aarti Ramchandraprasad Singh .. Intervener
in the matter between
Umesh Lalbahadur Vishwakarma .. Applicant
Vs.
The State of Maharashtra .. Respondent

None for the applicant.

None for the intervener.

Smt. Anamika Malhotra, APP for the State.

WPSI Mr. Tambade, Mira Road Police Station present.

CORAM : BHARATI DANGRE, J.

DATE : SEPTEMBER 16, 2022.

P.C.:

1. None for the applicant.
2. Learned APP states that the subject C.R. came to be registered on 12th March, 2020 with Mira Road Police Station, which invoked Sections 376, 377, 328, 323, 504 and 506 of Indian Penal Code in which the applicant was arraigned as an accused. The officer who is conversant with the facts of the case is present in the Court. He states that the victim/first informant is also present in the Court and the officer has

identified her. On instructions, learned APP makes a statement that Writ Petition No. 71 of 2021 is filed in this Court seeking quashing of the FIR and in such proceeding, the victim has accorded her no objection for quashing of FIR by filing appropriate affidavit. Learned APP fairly states that the victim girl however is not very sure whether she shall continue with her no objection accorded for quashing of FIR. In any case, learned APP states that the offence is registered in the year 2020 and no custodial interrogation of the applicant is necessary.

3. Accepting the aforesaid statement and subject to the stipulation that applicant shall report to the Investigating officer and cooperate in the investigation. The present application is allowed in the following terms:

ORDER

(a) In the event of arrest, the Applicant in connection with Crime No. 50 of 2020 registered with Mira Road Police Station shall be released on bail on furnishing PR. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

(b) The applicant shall report to the concerned police station on 21st and 22nd September 2022 between 3.00 p.m to 5.00 p.m and thereafter as and when directed.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

The Application is allowed in the aforesaid terms.

4. Intervention Application is also disposed of.

(SMT. BHARATI DANGRE, J.)