

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2378 OF 2022
ALONGWITH
INTERIM APPLICATION NO.3548 OF 2022
IN
BAIL APPLICATION NO.2378 OF 2022

Mukaddar Mohammad Jafar Savratkar	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Ms. Anjali Patil, for the Applicant.

Ms.Lakshmi Vaidyanathan for the Intervenor.

Ms.Rutuja Ambekar, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 21st OCTOBER, 2022.

P.C.

1] On the last date, the Investigating Officer was directed to record statements of family members in order to ascertain veracity of the statement of the Applicant that he is going to continue to keep relationship with the complainant and also cater to her two children.

2] Today the learned APP has produced before me statement of the victim/prosecutrix who has categorically stated that she is satisfied with the proposal given by the Applicant and though on account of

some legal impediment they will not be in a position to solemnize marriage, they will continue their relationship and she is hopeful and satisfied that he will take care of her children.

3] The statement of Kamini Morlikar and one Savatkar, brother of the Applicant are also recorded who have accepted the relationship between the Applicant and complainant.

4] On perusal of the aforesaid statements, I am convinced that an opportunity ought to be given to the Applicant to be rehabilitated till he face the trial as he is incarcerated in the wake of accusations levelled against him that he has committed offence punishable under section 376 of the IPC.

5] When the complainant himself has stated that after release on bail, he shall continue to lead his life with her alongwith her children, I deem it appropriate to secure his release subject to stipulation that he shall abide by the said statement. It is made clear that if he for some reason is estranged from the complainant, he shall be put behind the bar on this act being pointed out by the complainant to the Investigating officer.

Hence, the following order :

- (a) Application is allowed.
- (b) Applicant – Mukaddar aMohammad Jafar Savratkar shall be released on bail in connection with C.R.No.63 of 2022 registered at Vashind Police Station on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of

the like amount.

The Applicant shall be released on cash bail of Rs.25,000/- for a period of six weeks in lieu of sureties. During the said period the applicant shall arrange for the sureties.

(c) Upon release, the Applicant shall continue to live his life with the complainant and by reporting to the Police Station shall give the address where they are going to reside together.

(d) 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.

(e) The Applicant shall regularly attend trial, on every date, unless exempted.

[BHARATI DANGRE, J]