

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2571 OF 2022

Vaibhav Sunil Gangurde	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. S. R. Rajepandhare i/b. Mr. N. R. Bhumkar for Applicant.
Ms. Sharmila S. Kaushik, APP for Respondent.

CORAM : NITIN W. SAMBRE, J.
DATE : SEPTEMBER 21, 2022

P.C. :

The applicant is seeking pre-arrest bail in Crime No.199 of 2022 registered with City Police Station, Manmad for the offence punishable under Sections 376, 376(2)(n), 406, 420 and 506 of the Indian Penal Code.

2. Case of the prosecution is, the applicant got engaged with the victim. Taking undue advantage of the engagement, the applicant sexually exploited the victim from which she carried pregnancy and subsequently, the applicant refused to marry her. As such, offence in question.

3. Apart from delay in lodging the FIR, counsel for the applicant would urge that the father of the victim has received certain amount from the applicant. It is also urged that the investigation in the matter may go on. However, the facts do not contemplate requirement of custodial interrogation.

3.1. My attention is also invited to two NCs registered under Section 155 of the Cr.P.C. at the behest of the applicant and his mother.

4. Learned APP would oppose the prayer.

5. I have appreciated the said submissions.

6. The fact that the applicant got engaged with the victim and the said engagement was not materialized is an undisputed fact. There is enough evidence on record as was considered by the trial Court to infer that the victim was carrying pregnancy and that being so, the necessary ingredients of offence punishable under Section 376(2)(n) of the IPC are made out.

7. In that view of the matter, no case for bail is made out. Application fails, and as such, stands rejected.

(NITIN W. SAMBRE, J.)

Minal Parab