

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2949 OF 2022

Navin Jagdish Prasad Sharma	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Sunny Waskar a/w Harshada Morey, S. Marwadi i/by Prism Legal,
Advocate for the Applicant.

Mr. M.G. Patil, APP for the Respondent – State.

Mr. Ranvare, API, Haweli Police Station.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	19th OCTOBER, 2022.

PER COURT:

1. The application for for pre-arrest bail in C.R. No. 120 of 2022 registered with Haweli Police Station for offences under Sections 376(1), 376(2)(n), 377, 420, 506 of Indian Penal Code. The first information report was registered on 9th May, 2022.

2. The first informant is a lady aged around 30 years. She got acquainted with the applicant in 2018 through Facebook and thereafter, they exchanged their numbers and she was subjected to sexual assault. They visited lodge. There was physical relationship between them on various occasions. She was subjected to consensual sex. They went to Rajasthan. The applicant had promised that he would marry her. She was threatened that photograph/video will be made viral.

3. Learned counsel for the applicant submitted that the applicant is a married person having children. The contents of the first information report are false and fabricated. Assuming the allegations is true but denying the contents of the first information report. The relationship has alleged by the complainant is consensual.

4. Learned APP submitted that the applicant and the victim had visited the lodge. The photo copy of the register of lodge is produced. The names of applicant and victim are not legible on the photo copy of the register. It is submitted that phone number of applicant and victim are reflected in register.

5. Looking into the nature of the allegations, the applicant need not be subjected to custodial interrogation. Assuming the allegations to be true the relationship appears to be consensual.

ORDER

i. Anticipatory Bail Application No. 2949 of 2022 is allowed;

ii. In the event of arrest of the applicant in connection with C.R. No. 120 of 2022 registered with Haweli Police Station, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.20,000/- with one or more sureties in

the like amount;

iii. The applicant shall attend the investigating officer on 1st, 2nd and 3rd November, 2022 between 11.00 a.m. to 1.00 noon and thereafter as and when called for.

iv. The applicant shall co-operate with the investigation and the cell phone is required to the purpose of investigation which has hand over it to the investigation officer.

v. Application stands disposed off.

(PRAKASH D. NAIK, J.)