

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.106 OF 2023

Shashikant Sanjay Ghalme

.... Applicant

Versus

The State of Maharashtra
and others

.... Respondents

.....

Mr. Nilesh S. Ghanekar, Advocate for the Applicant
Mr. V.S. Badakh, APP for Respondent Nos. 1 and 3 – State
Mr. Gaurav L. Deshpande, Advocate for Respondent No.2

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th FEBRUARY, 2023

ORDER :

1. The applicant apprehends his arrest in connection with Crime No.853 of 2022 registered with Karjat Police Station, District Ahmednagar for offences punishable under sections 354, 354-D, 341, 506 of the Indian Penal Code and under section 7 and 8 of the Protection of Children from Sexual Offences (POCSO) Act.

2. FIR is lodged by the victim, who is minor alleging that the applicant was stalking her when she used to go to School. On 24/12/2022, when she was proceeding to School along with her sister, the applicant came there on his

motorcycle and obstructed her way and caught her hand, and told her that he likes her very much, and she should marry with him. If she doesn't marry, he will kidnap her, and if she discloses this fact, he will kill her parents. The victim raised hue and cry. At that time, one Dipak Ghalme came there. Seeing him, the applicant fled away from the spot. Thereafter, Dipak Ghalme reached her and her sister to the School.

3. Heard learned advocate for the applicant, learned Additional Public Prosecutor for the State and learned advocate for the informant. Perused the investigation papers.

4. Learned advocate for the informant submits that after grant of interim protection, the applicant has threatened the victim's father.

5. *Prima facie*, it appears that the incident is outcome of one-sided love on the part of applicant. Though specific allegations are made in the FIR, custodial interrogation of the applicant is not necessary, and nothing is to be recovered from the applicant.

6. The applicant was granted interim protection and he has co-operated in the investigation. In the facts of the

present case, pre-trial custodial detention of the applicant not necessary.

7. In the result, following order is passed.

8. The application is allowed by confirming interim protection.

9. In the event of arrest of the applicants in connection with Crime No.853 of 2022 registered with Karjat Police Station, District Ahmednagar for offences punishable under sections 354, 354-D, 341, 506 of the Indian Penal Code and under section 7 and 8 of the Protection of Children from Sexual Offences (POCSO) Act, the applicant shall be released executing Personal Bond of Rs.15,000/- with one surety in the like amount.

10. Till filing of the charge sheet, the applicant shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation.

11. The applicant shall not indulge in similar offence.

12. The applicant shall not intimidate the witnesses and shall not tamper prosecution evidence.

13. The applicant shall not enter village Shinde, Taluka Karjat, District Ahmednagar, till conclusion of the Trial.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane