

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 729 OF 2023

Sachin Bhagwanrao Admane

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. R. V. Gore, Advocate for the applicant.

Mr. S. N. Morampalle, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 16th JUNE, 2023.

PER COURT :

1. Applicant is apprehending arrest in connection with Crime No. 210/2023 registered with MIDC Waluj Police Station, Dist. Aurangabad for the offence punishable under Section 376(2)(f) of the Indian Penal Code.

2. Perusal of the First Information Report shows that the applicant and informant were in love relationship prior to marriage of the informant in the year 2012. It further shows that even after marriage of informant, they continued their relationship upto the year 2022. It is also claimed that the informant monetarily helped the applicant in his business. The incident allegedly occurred in the

month of May 2022 wherein the applicant allegedly assaulted the informant with knife.

3. Present report is lodged on 17th March, 2023. Bare perusal of the said report indicates that there were consensual physical relationships between two adult persons. There is delay in lodging First Information Report. It even does not stand to any reason as to why no report was given if the applicant had assaulted the informant in the month of May 2022.

4. Considering the aforesaid facts, apparently, it is a case of consensual sexual relationship between applicant and informant. Thus, applicant has made out a case for protecting him by way of anticipatory bail. It is further informed to this Court that investigation into the crime is already over and charge-sheet has been filed. Hence, application stands allowed in terms of the interim order.

(R. M. JOSHI)
Judge