

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.2240 OF 2022

**SANDEEP DEELIP JARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Applicants : Mr. Hange Anirudh R.
APP for Respondent No.1 and 2 : Mr. S. P. Deshmukh
Advocate for respondent No.3 : Mr. P. B. Salunke

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CORAM : S. G. MEHARE, J.

DATE : 08.03.2023

PER COURT :

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent Nos. 1 and 2/State and the learned counsel for respondent No.3/ the victim.

2. The prosecution case in brief is that the mother of the victim performed her marriage with the applicant without her consent. The mother sold her to the applicant and his family for Rs. 1,00,000/-. The marriage was against her desire. But the fact remains that she had cohabited with the applicant as wife for about one and half year. At the time of her marriage she was around 14 years. Her mother and

father had no good relationship. Her mother was living separately from her husband with the children. For a long time there were no complaints. Her statement also reveals that she had ill-treatment at the hands of the mother-in-law, therefore, she called her grand father then report has been lodged. In one and half years she never called her father or the grand father for help. The father has also grievance that her mother performed her marriage without his knowledge and information. The overall allegations reveal that the dispute is arising out of matrimonial relationship. The prime allegations against the applicant appear to be ill-treatment to the victim at matrimonial home. In view of that matter and the completion of the investigation, the Court is of the view that this is a fit case to grant the bail.

Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant Sandeep So Deelip Jare be released on bail, on furnishing P. B. and S.B. of Rs. 50,000/- (Rupees Fifty Thousand only), with one solvent surety of the like amount, in Crime No. 70 of 2022, registered at Chaklamba Police Station Taluka Georai, District Beed, for the offences punishable under Sections 376(2), (I) (j), (n), 506 read with Section 34 of the Indian Penal Code and Sections 4, 8, 12 of the

Children From Sexual Offences Act, Section 9, 10, 11 Child Marriage
Restrain Act on the conditions that,

- (a) He shall not tamper with the prosecution witnesses.
- (b) He shall not contact the victim and his family members in any
mode or manner till conclusion of the trial.
- (iii) The Secretary, High Court Legal Services Sub-Committee,
Aurangabad do pay the fees to the counsel appointed for
respondent No.3 as per schedule.

(S. G. MEHARE)
JUDGE

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