

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

ANTICIPATORY BAIL APPLICATION NO. 1939 OF 2022

Aditya Kashinath Pawar
Age : 22 Years, Occu. : Education,
Residing at : Sanjivani Vidya Bhavan,
Near Pawar Caters, Shaniwar Peth,
Karad, District : Satara – 415 110. ...Applicant

vs.

1. State of Maharashtra
Through the Karad City Police Station,
District : Satara.
2. X.Y.Z.
Age : 22 Years, Occu. : Student,
Residing at : Patil Mala, Kapil,
Taluka : Karad, District : Satara. ...Respondents

Mr.Nitesh J. Mohite, Advocate for the Applicant.
Mr.Y.Y.Dabke – APP for the Respondent No.1-State.
Ms.Priyanka Chavan – Appointed Advocate for Respondent No.2.
Mr.U.B.Dalvi – PSI – i/b. I.O. - Mr.T.S.Shadiwan-API-Karad City Police
Station, District : Satara.

CORAM : S. M. MODAK, J.
DATE : 9th MARCH, 2023

P. C. :-

1. Earlier, I have already heard the learned Advocate for the Applicant, learned APP for the Respondent No.1-State and learned Advocate for the First-Informant. During those hearings, there was a

suggestion whether parties can settle the matter. However, it was not arrived at.

2. It is true that the First-Informant must be under the trauma in view of the cancellation of the marriage which was settled and even the engagement was fixed on 4th May, 2022. Even, the First-Informant went to the extent of inflicting injuries on herself and that is reflected in the order passed by the Court of Additional Sessions Judge, Karad dated 12th July, 2022 in Para Nos. 10 and 11.

3. Charge-sheet is already filed. FIR is lodged by the victim. The victim was a student of the mother of the Applicant. She used to visit the house of the Applicant. During those visits, both of them were starting knowing each other and they have developed love relationship. Even, their family members had decided to perform their marriage. However, the Applicant has crossed his limits and he has developed sexual relationship on 7th March, 2022. He took the First-Informant to a lodge. It is the contention of the Prosecution that the First-Informant was not ready, however, on the assurance given by the Applicant, that incident took place.

4. Be that it may, now the charge-sheet is filed. So, custody of the Applicant is not required. There is a grievance that the Applicant has not cooperated to the Police. The condition of attendance can be

continued. The fact that the charge-sheet is filed, indicates that they do not require custody. Hence, following order is passed :-

O R D E R

- (i) Interim order passed by this Court on 18th July, 2022 is confirmed.
- (ii) Let attendance be given to Karad City Police Station for one year on first Sunday of every month from 10.00 to 12.00 noon.
- (iii) Applicant shall not tamper with the Prosecution witnesses or to allure them in any manner or to harass them in any manner.
- (iv) In case of breach of any of the conditions, the bail of the Applicant is liable to be cancelled after hearing.

5. It is made clear that the observations made herein are prima facie and the trial Court shall decide the case on its own merits, in accordance with the law, uninfluenced by the observations made in this order.

6. Application is disposed of in the aforesaid terms.

7. All the parties to act on an authenticated copy of this order.

8. Respondent No.2's Counsel be paid fees as per the Rules.

[S. M. MODAK, J.]