

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

**ANTICIPATORY BAIL APPLICATION NO.129 OF 2023**

Salim Mohin Shaikh ..Applicant  
VS.  
The State of Maharashtra ..Respondent

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Mr. Anil S. Kamble, for the Applicant.  
Ms. A. A. Takalkar, APP for the State.  
PSI- Mr. B.D. Pawar, Kalyan Police Station is present.

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**CORAM : M. S. KARNIK, J.**

**DATE : JANUARY 16, 2023**

**P.C. :**

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No. 544 of 2022 dated 08/11/2022 registered with Kalyan Police Station for offence punishable under sections 376(2), 504, 506 of the Indian Penal Code, 1860.
- 3.** The prosecutrix alleged that not only the applicant had forcible physical relations with her but even extorted money

from her to the tune of Rs. 15 lakhs.

**4.** Today, an affidavit has been filed by the prosecutrix who is personally present in the Court. The investigating officer has identified the prosecutrix. In the affidavit she has stated that there was some misunderstanding on the trifling issues with the applicant and out of anger, the FIR has been filed. She admits the physical relations between the parties since 2018. The applicant is married. The prosecutrix is also married. Their developed friendship and physical relations is an outcome of that friendship. In view of the stand taken by the prosecutrix, the custodial interrogation of the applicant is not required. Hence, the following order.

### **ORDER**

(a) In the event of arrest of the applicant in connection with C.R.No. 544 dated 08/11/2022 registered with Kalyan Police Station, the applicant-Salim Mohin Shaikh be released on bail on his furnishing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount;

(b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence;

(c) The applicant to report to the investigating officer on 19<sup>th</sup> and 20<sup>th</sup> January 2023 between 11.00 a.m. and 1.00 p.m.

(d) The applicant has shown his readiness to deposit a sum of Rs.25,000/- with the jurisdictional Magistrate within a period of 8 weeks from today which deposit shall abide by the final order that may be passed by the competent Court. Statement is accepted.

**5.** The anticipatory bail application is disposed of.

**(M. S. KARNIK, J.)**