

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

ANTICIPATORY BAIL APPLICATION NO. 368 OF 2023

Mr. Parth Pareek

..Applicant

VS.

The State of Maharashtra

..Respondent

Mr. Rakesh H. Singh a/w Mr. J.P. Jaiswal, for the Applicant.

Ms. A. A. Takalkar, APP for the State.

PSI- Mr. Rahul Patil, Powai Police Station present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 9, 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 FIR No.35 of 2023 dated 16/01/2023 registered with Powai Police Station for the offence punishable under sections 354 and 354D of the Indian Penal Code, 1860.

3. It is alleged that the applicant was working as a Programme Manager in a Company. The complainant was

working since May 2022 as a Manager. The incident is alleged to have happened in a hotel on 01/08/2022 at about 10.00 p.m. It is alleged that the applicant came near the complainant and caught hold of the hand of the complainant and tried to take her for a dance without her consent. According to the complainant, though she made a grievance to the superiors, but no action was taken. I find that it is after the complainant's services were terminated by the Company on 11/01/2023 that the FIR has been filed. Considering the nature of the accusations and the delay in lodging the FIR, in my opinion, the custodial interrogation of the applicant is not necessary. The applicant must co-operate with the investigation. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) In the event of arrest of the applicant in connection with C.R. No.35 dated 16/01/2023 registered with Powai Police Station, the applicant- Parth Pareek be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(c) 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;

(d) The applicant shall attend the investigating officer on 16th & 17th February 2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called for and co-operate with the investigation.

4. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)