

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.662 OF 2020

Arun G. Shinde ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. Zaid Qureshi i/b Ms Janaki Ravi for the Applicant.
Mr. Amit Palkar , APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 08.02.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. This Court by order dated 18 March 2020 passed the following order.

"1. Apprehending the arrest in connection with Crime No. 30/2020 registered with Dighi Police Station, Pune for the offences punishable under Sections 376, 406, 506(1) of the Indian Penal Code, 1860, applicant is seeking pre-arrest bail.

2. Heard. Learned counsel for the applicant and learned APP for the State.

3. I have perused the complaint. Victim is 43 years old widow. It is alleged that the applicant in the guise of promise to marry her sexually exploited her from time to time. It is further alleged that applicant on the pretext of buying the house for her, had taken away her valuable gold ornaments. On this set of allegation, the subject offence came to be registered against the applicant.

4. *Prima facie, the allegations suggest that the victim voluntarily accompanied the applicant at various places and lodge and had submitted herself to his sexual desire. Prima facie, element of ' force ' has not been noticed. Applicant and victim are major.*

5. *In view of the nature of accusation made against the applicant, in my view the case is made out for granting the interim relief to the applicant, hence the following order.*

6. *Stand over to 15th April, 2020.*

7. *In the meantime, in the event of arrest of the applicant in Crime No. 30/2020 registered with Dighi Police Station Pune, he shall be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like sum.*

8. *The applicant shall report to the Investigating Officer on 31 st March, 2020 and 3rd and 9th April, 2020 between 11:00 am to 01:00 pm.*

9. *The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.*

10. *The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case."*

3. The learned APP on instructions submits that the prosecution has filed the charge-sheet against the applicant. Considering the overall facts and circumstances of the case, I am inclined to allow the present application. Accordingly, the interim order dated 18 March 2020 is hereby confirmed.

4. Application is disposed of.

[N.R.BORKAR, J.]