

VRJ

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

ANTICIPATORY BAIL APPLICATION NO.1480 OF 2021

Abdullah Faruq Shaikh

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

VAIBHAV
RAMESH
JADHAV
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Dr. Uday P Warunjikar with Ms. Sonali R. Chavan for
the applicant.

Ms. Veera Shinde, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : JULY 21, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.415 of 2021 for offences punishable under sections 376(n), 315, 323, 504, 506, 420 of the Indian Penal Code, 1860, the applicant is seeking relief under section 438 of the Criminal Procedure Code, 1973.

2. The prosecution case in short is as under:

The complainant Antara Madhukar Ingale lodged report to Bharati Vidyapeeth Police Station inter alia contending that the accused and complainant were taking education in same college in the year 2013. They developed friendship and later on their friendship converted into love affair. Accused No.1 under the false promise of marriage has committed forcible sexual intercourse with her again and again at different places without her consent.

When the complainant was pregnant for four weeks, accused took her to hospital and aborted her baby. Accused has also demanded amount to her and when she refused to give amount, he beat her. Accused has taken an amount of Rs.20,00,000/- and did not return it to her. When the complainant asked this fact to his parents they abused her, threatened her. Therefore, she lodged report for the same. They gave two cheques of amount Rs.10,00,000/- and made her to take the complaint back. Accused did not return the amount and sexually exploited her and cheated her. On these allegations, she lodged report.

3. The Sessions Judge by order dated 17th June 2021 rejected the application.

4. This Court by order dated 28th June 2021 protected the applicant. There is no complaint against the applicant that he has violated the conditions. During pendency of the application, the applicant and the informant have entered into an agreement whereby the applicant is supposed to pay balance amount of Rs.4,10,000/- out of Rs.7,10,000/-. The balance amount is to be paid on the date of quashing of the report lodged against the applicant. The photo copy of the agreement is taken on record and marked 'X' for identification.

5. In view of aforesaid, the applicant has made out a case for confirmation of ad-interim relief. The ad-interim relief granted by this Court on 28th June 2021 stands confirmed on the same conditions.

6. As per the terms of agreement, the applicant is permitted to

withdraw amount of Rs.10,00,000/- deposited in this Court.

7. The anticipatory bail application stands disposed of.

(AMIT BORKAR, J.)