

SA Pathan

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

ANTICIPATORY BAIL APPLICATION NO.1778 OF 2023

Suryakant Namdev Gaikwad ... Applicant

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Aadesh Konde Deshmukh, for the Applicant.

Mrs. Rutuja, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : JULY 24, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.161 of 2023 registered with Rjgad Police Station District Pune for offences punishable under section 354 of the Indian Penal Code, 1860 (for short 'IPC'), the applicant is seeking relief under section 438 of the Criminal Procedure Code, 1973 (for short 'Cr.P.C.').
2. According to prosecution, the applicant outrage modesty of informant from 24 March 2023 till 10 April 2023 by asking obscene questions and behaved objectionable manner on more occasions. He allegedly snatched informant's dupatta on road due to which she felt ashamed.
3. On perusal of the report and non-cognizable complaint filed by the applicant, it appears that the alleged incident occurred on 24 March 2023. The applicant has filed non-cognizable complaint against the informant's brother on 1 April 2023. The report is of 11

April 2023. The applicant is, therefore, entitled to the protection under Section 4138 of Cr.PC.

4. The applicant has remained present as per Clause (b) of the order dated 26 June 2023. In that view of the matter, the order dated 26 June 2023 is confirmed with additional conditions:

a) The applicant shall not contact the informant either directly or indirectly till the conclusion of the trial.

b) The applicant shall remain present before the concerned police station on 26th, 28th and 31st July, 2023 between 11:00 am to 2:00 pm and thereafter, as and when called by the investigating officer.

5. The anticipatory bail application stands disposed of confirming order dated 23 June 2023 and in the above additional conditions..

(AMIT BORKAR, J.)