

Digitally
signed by
VINA
ARVIND
KHADPE
Date:
2023.07.31
17:59:12
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1900 OF 2022

Samgharsh Kailash Jagtap ... Applicant

Versus

The State of Maharashtra and anr. ... Respondents

.....

Mr. Shailesh Kharat for the Applicant.
Mr. Amit Palkar, APP for the Respondent – State.
Ms. Meghana Goyalani for Respondent No.2.

.....

CORAM : N.R. BORKAR, J.

DATED : 21 MARCH 2023

P.C. :-

1. This is an application filed under Section 438 of Criminal Procedure Code, 1973 for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.85 of 2022 registered with Bhore Police Station, Pune for the offences punishable under Sections 376, 417, 507 of the Indian Penal Code, 1860.
3. I have heard the learned counsel for the applicant, learned APP for the respondent – State and learned counsel for respondent no.2.
4. According to prosecutrix, the present applicant committed sexual intercourse with her on the pretext that he would be marrying her.
5. The learned counsel for the applicant submits that the prosecutrix had suppressed the fact from the applicant that she has daughter from

earlier relationship. It is submitted that when the applicant came to know about it, differences arose between them and thus they could not marry.

6. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed;

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant in Crime No.85 of 2022 registered with Bhore Police Station, Pune for the offences punishable under Sections 376, 417, 507 of the Indian Penal Code, 1860, he shall be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating officer and shall co-operate in investigation.

(N.R. BORKAR, J.)