



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

BAIL APPLICATION NO. 2393 OF 2023

ADARSH RAJKUMAR SINGH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Seema Dighe a/w Adv. Shubham Sane a/w Adv. Priyal
Sarda for the Applicant.

Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 13, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is an application for bail in respect of the offence punishable under Sections 376(2)(n), 376 and 506 of the Indian Penal Code registered on 11/01/2023 vide C.R. No.34 of 2023 with Bhosari Police Station, Pimpri-Chinchwad.
3. The victim/prosecutrix was 23 years of age. It is the case of the prosecutrix that on false promise to marry, the applicant had a physical relationship with her.
4. I have gone through the statement of the prosecutrix. *Prima facie*, the relationship between the applicant and the

prosecutrix appears to be consensual in nature. The applicant will face the consequences of the trial it is ultimately found that the physical relationship consented by the prosecutrix was an outcome of a false promise of marriage. The applicant is in custody for a period of more than 8 months. There are no criminal antecedents reported against the applicant.

5. Learned APP opposed the application contending that the statement of the victim clearly reveals that on a pretext of false marriage, the victim consented to a physical relationship and thereafter, the applicant refused to marry the victim. Learned APP further submitted that from the conduct of the applicant the offence as alleged is clearly made out.

6. In the facts and circumstances of the present case, considering that the investigation is complete and the charge-sheet has been filed, the applicant can be enlarged on bail looking at the age of the applicant and as he is pursuing his higher studies. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Adarsh Rajkumar Singh in connection with C.R. No.34 of 2023 registered with Bhosari Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall not make attempt to establish any contact with the victim.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

7. The application is disposed of.

(M. S. KARNIK, J.)