

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

BAIL APPLICATION NO. 2980 OF 2022

Lalchand Rammohanlal Mali
(As per charge sheet)

Lalchand Rammohan Mali
(As per aadhar card)

..Applicant

VS.

The State of Maharashtra and Anr.

..Respondents

Adv. Sunny Waskar a/w Adv. Dilip Gupta a/w Adv. Harshada
Morey i/b Adv. Ashok Shukla for the Applicant.

Ms. A. A. Takalkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 1, 2023

P.C. :

- 1.** Mentioned out of turn.
- 2.** Heard learned counsel for the applicant and learned APP for the State.
- 3.** This is an application for bail by the applicant-
Lalchand Rammohanlal Mali (As per charge sheet) alias
Lalchand Rammohan Mali (As per aadhar card), in
connection with C.R. No. 305 of 2022 dated 11/05/2022,
registered with Meghwadi Police Station, under sections
376(2)(n) and 506 of the Indian Penal Code, 1860 and
sections 6, 8 and 12 of the Protection of Children from

Sexual Offences Act, 2012.

4. The applicant is the father-in-law of the complainant. The complainant is now a major and even at the time of the filing of the FIR was a major. It is alleged that at the relevant time when the applicant was a minor i.e. in December-2020, the applicant had forcible sexual relations with the complainant on 2-3 occasions.

5. The applicant has been in custody since 11/05/2022. The complainant is personally present in the Court today. An affidavit affirmed on 16/02/2023 by the complainant has been filed stating that the applicant used to fight every day with her husband over property disputes and therefore due to ill advice given by some of the relatives, the present FIR came to be lodged. At the relevant time when the incident is alleged to have taken place, the complainant was above 17 years of age. The affidavit is taken on record. The complainant states that she has no objection, if the applicant is released on bail. Considering that investigation is complete and charge-sheet is filed and as there are no criminal antecedents reported against the applicant, the applicant is in custody for 9 months, the applicant can be

released on bail. Hence, the following order.

ORDER

(a) Applicant- Lalchand Rammohanlal Mali (As per charge sheet) alias Lalchand Rammohan Mali (As per aadhar card), in connection with C.R. No. 305 of 2022, registered with Meghwadi Police Station, shall be released on bail, on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount;

(b) The applicant is permitted to furnish temporary cash bail surety in the sum of Rs.15,000/- for a period of 6 weeks in lieu of surety;

(c) 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;

(d) The applicant shall report to the concerned police station as and when called;

(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.

6. The application is disposed of.

(M. S. KARNIK, J.)