

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3668 OF 2022

Chotu @ Sadik Vajid Ali ...Applicant

Versus

The State of Maharashtra and anr. ...Respondents

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Mr. Shailesh Kharat for the Applicant.
Ms Veera Shinde, APP for the State.
Mr. Ashish Raghuvanshi for Respondent No. 2.

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CORAM : N.R. BORKAR, J.
DATED : 29 MARCH 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 71 of 2022 registered at Lonikalbhor Police Station, Pune City for the offences punishable under Sections 376 (2)(n) of the Indian Penal Code and Sections 4, 6, 8 of Protection of Children from Sexual Offences Act.

3. According to the victim, in the year 2021, the present applicant on several occasions committed forcible sexual intercourse with her on the pretext that he would be marrying her.

This order is corrected pursuant to the speaking to minutes of the order dated 12 July 2023.

4. It appears that there was a love affair between the victim and the present applicant. The victim, through her mother has filed affidavit and stated that she has no objection, if the applicant is granted bail. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant be released on bail in Crime No. 71 of 2022 registered at Lonikalbhor Police Station, Pune City for the offences punishable under Sections 376 (2)(n) of the Indian Penal Code and Sections 4, 6, 8 of Protection of Children from Sexual Offences Act on furnishing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

(N.R. BORKAR, J.)