

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 104/2023

Abhijet s/o Gunwantrao Deshmukh .vs. State of Maharashtra through PSO P. S.
Civil Lines, Akola, Tq. Dist. Akola and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C. A. Joshi, Advocate for applicant.
Mr. V. A. Thakare, A.P.P. for non applicant-State.

CORAM : ANIL L. PANSARE, J.
DATE : FEBRUARY 15, 2023.

Heard.

2. The applicant is apprehending arrest in Crime No.22/2023, registered with Police Station, Civil Lines, Akola for an offence punishable under Sections 376, 376(2)(n), 377, 354(C), 323, 294, 504 and 506 of the Indian Penal Code.

3. With assistance of both the sides, I have gone through the First Information Report. The informant victim is a married lady. According to her, the applicant was stalking her since 2017. At one point of time, he videographed the victim while taking bath. Thereafter, he demanded sexual favour from the victim by threatening her of making the video viral. The informant was reluctant and initially denied to meet the demand but the applicant again made a phone call to her and gave threats. The victim, to save her matrimonial life, agreed to meet the demand and in consequence to meet the applicant. The applicant called her to Shegaon and took her to a lodge and committed sexual assault. The victim also alleges that the applicant has performed wild and painful sexual assault, which

also was videographed. This continued for some years. It appears that after having satisfied his lust for few years, the applicant came up with another theory. Now, he has demanded an amount of Rs.60,000/- from the victim by threatening to make the videos viral.

4. The victim, left with no other alternative, has ultimately lodged the report. The applicant intends to take advantage of delay in lodging the report, which however from the FIR itself appears to be satisfactorily explained and therefore, the plea of delay in lodging the report will not be available, at least at this stage.

5. Learned counsel for the applicant submits that his mobile phone has been seized. The investigating officer will definitely verify the allegation. However, the FIR has been lodged recently i.e. on 23.01.2023. The investigation is at the initial stage. The allegations are serious. Custodial interrogation of the applicant may be required. The application, therefore, is liable to be rejected and stands rejected.

(Anil L. Pansare, J.)

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