



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1632 OF 2023

Vikarm Kondiba Momin

... Applicant

VERSUS

The State Of Maharashtra
And Another

... Respondents

.....
Mr. Amol R. Gaikwad, Advocate for the Applicant
Mr. S.B. Jadhav, APP for Respondent No.1 – State
Mr. Angad L. Kanade, Advocate for Respondent No.2
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 22nd FEBRUARY, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No. 412 of 2023 registered with Shivaji Nagar Police Station, District Beed for offence punishable under sections 354, 354-D of the Indian Penal Code and under sections 8 and 12 of the Protection of Children from Sexual Offence Act.

2. FIR is lodged by father of minor victim alleging that applicant who is maternal uncle of outraged her modesty on several times. Applicant, on registration of FIR, approached the Sessions Court. His application for anticipatory bail is rejected.

3. Heard learned advocate for applicant and learned APP for the respondent No.1 – State and learned advocate for respondent No.2. Perused the investigation papers.

4. It appears from the record that informant and his wife were having matrimonial dispute and due to the said dispute, the present FIR is lodged. Informant has filed affidavit stating that all the dispute between him and his wife are resolved amicably and they have agreed to withdraw all cases filed against each other, and they have started residing together. It is further stated that due to misunderstanding, the present FIR was lodged.

5. Considering the settlement of dispute between informant and his wife and they are residing together and as they have agreed to withdraw all the cases filed/lodged against each other and since in the affidavit it is stated that due to misunderstanding the present FIR is lodged, applicant deserves protection.

6. Application is therefore allowed by confirming interim protection granted to applicant by order dated 12.10.2023.

[NITIN B. SURYAWANSHI]
JUDGE