



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

954 ANTICIPATORY BAIL APPLICATION NO. 1883 OF 2023

BHARAT RAOSAHEB CHINDHE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Garud N.C.

APP for Respondent/State : Mrs.M.L. Sangit

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 8th August, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.0586 of 2023 registered with Karjat Police Station, Tq. Karjat, Dist.Ahmednagar, for the offences punishable under sections 354, 327, 323, 504, 506 of the Indian Penal Code (For short, "IPC").

2. It is prosecution's case that on 5th September, 2023, the victim was cleaning her courtyard. At about 7:30 a.m., the appellant came by his four wheeler vehicle. He hugged the victim from behind. He entered his hand in the blouse of victim and pressed her chest. He outraged modesty of victim. He abused the victim and threatened to kill her. He snatched golden Mangalsutra from the neck of the victim. When victim raised shouts, he threatened that nobody will take action against him.

3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case due to old dispute. The applicant has filed the Atrocities Case against the husband of the

victim. Considering the allegations against the applicant, his custodial interrogation is not required. The learned counsel further submitted that the matter is settled between the applicant and victim. The victim has no objection to allow the application and requested to allow the application.

4. It is contention of the learned APP that the applicant outraged the modesty of the victim. The victim is specially disabled. Considering the allegations against the applicant, his custodial interrogation is not required and requested to reject the application.

5. It is contention of the learned counsel for respondent no.3 that the informant is present in the Court and on instructions, he submits that the matter is settled between the informant and applicant and informant has no objection to allow the application. The learned counsel for respondent no.3 – informant tendered the affidavit in report along with Vakalatnama. It is taken on record and marked “X” for identification.

6. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

7. The allegations against the applicant are that he outraged the modesty of the informant. Considering the allegations against the applicant, his custodial interrogation is not required. Moreover, the informant has no objection for allowing the application. Considering the above reasons, I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicant in connection with FIR No.0586 of 2023 registered with Karjat Police Station, Tq. Karjat, Dist.Ahmednagar, for the offences punishable under sections 354, 327, 323, 504, 506 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following conditions :-
 - (a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

[SHIVKUMAR DIGE, J.]

sga