



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 2115 OF 2023

RITESH VIVEKANAND CHAVAN

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Sachin Subhash Panale, Advocate for Applicant

Mr. S.R. Wakale, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 02nd APRIL, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.591/2023, registered with Shivaji Nagar Police Station, Latur, for offence punishable under Sections 376, 376(2)(n), 506 of the Indian Penal Code.

2. Victim has lodged FIR alleging that she got acquainted with applicant in the year 2022 and their acquaintance turned into a love relationship. Applicant promised her to marry and kept physical relations with her. On 22/10/2023, he forcibly took her to Parijat Lodge, Ausa Road, Latur and at about 01:00 p.m. against her wish he established physical contact with her. Thereafter, victim repeatedly persuaded him to marry, but applicant refused. On 17/11/2023, victim went to police station for lodging FIR, however since the matter was settled between applicant and victim, she did not lodge any FIR. But thereafter applicant is threatening as to how her marriage is settled and that he will defame her.

3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the investigation papers.

4. Charge sheet in the present crime is filed on 25/01/2024. Victim is major. In the letter dated 16/11/2023 addressed by victim to Police Inspector, she has categorically admitted that she was in relationship with applicant. On 17/11/2023 she has addressed communication to Police Inspector stating that yesterday she had come but they have resolved the dispute and there was some misunderstanding, therefore, now she does not have any complaint about applicant. On 17/11/2023 letter is addressed by victim's mother to Police Inspector stating that application was made by victim, as victim and applicant had some misunderstanding which is settled amicably and the dispute occurred due to misunderstanding, however, today both the families have sat together and amicably settled the dispute.

5. Considering the aforesaid background and the fact that charge-sheet is filed, so also, medical examination of applicant is conducted, nothing is to be recovered from applicant. Therefore, pre-trial custodial detention of applicant is not necessary.

6. In the result, application is allowed by confirming interim protection granted to applicant by order dated 21/12/2023.

(NITIN B. SURYAWANSHI, J.)