

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.3698 OF 2023

Tilakraj Omprakash Saluja

.... Applicant

versus

The State of Maharashtra & Anr.

.... Respondents

Mr.Ashish Dubey a/w Chandrakanta Sharma a/w Radhika
Sharma a/w Shahnaaz Chougale for the Applicant.

Mrs. M.H. Mhatre APP for the State/Respondent.

Ms. Snehal Chaudhari i/b Maharashtra Law Associates for Respon-
dent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 3rd JANUARY 2024

P.C. :

1. The applicant is seeking anticipatory bail in connection with C.R.No.744 of 2023 registered with Borivali Police Station on 1st December 2023, under Sections 323 and 506 of IPC alongwith Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
2. The FIR was lodged by the father of the victim child. The victim was born on 9th August 2015. The incident in

question occurred on 9th November 2023. On that day, at around 6.53 P.M., the Applicant came to the place where the victim and his friends were playing. The Applicant pulled the victim and slapped him. The CCTV footage was checked. The victim was seen apologizing to the Applicant with folded hands. Since that day, the victim was psychologically affected. He was scared to go out to play with his friends. The Applicant did not show any repentance. The victim was referred to a specialist in psychiatry.. The victim suffered from Agoraphobia. On this basis, the FIR was lodged.

3. Heard Mr. Ashish Dubey learned counsel for the Applicant. He made his submissions on merits of the matter and in particular with reference to Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015. However, he made a statement that the applicant is ready and willing to apologies personally to the family of the victim. The Applicant is also willing to reside away from the victim's family's residence for a reasonable period so that the victim's treatment progresses smoothly. He submitted that he is making these submissions

without prejudice to the Applicant's rights and contentions.

4. Learned counsel for the first informant is agreeable to these suggestions in all fairness. Considering the fair stand taken by both the parties, the Applicant can be protected by the order of anticipatory bail with some conditions. It is expected that the Applicant abides by the statements made by his counsel before the Court today.

5. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.744 of 2023, registered with Borivali Police Station, the Applicant is directed to be released on bail on executing P.R. bond in the sum of Rs.30,000/- (Rs. Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall stay away from the place, where the victim's family is residing, for a period of five months from today.
- (iii) The Applicant shall not, in any manner, disturb the victim henceforth.

- (iv) The first informant is at liberty to make an application for cancellation of this order if there is breach of any of these conditions.
- (v) The Applicant shall cooperate with the investigation.
- (vi) With these directions, the Anticipatory Bail Application stands disposed of.

(SARANG V. KOTWAL, J.)