

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

CRIMINAL APPLICATION NO.968 OF 2024

Akhilesh Lalbahadur Yadav

.....Petitioner

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Krishnakant Pandey, Advocate for the Petitioner.

Mr. Anand S. Shalgaokar, APP for the Respondent No.1-State.

**CORAM : SARANG V. KOTWAL &
DR.NEELA GOKHALE, JJ.**

DATE : 10th DECEMBER, 2024

P.C. :

1. In this matter, the Respondent No.2 is already served.

Today, nobody appears for her. Therefore, to give her one more chance, we are adjourning the matter. However, we have heard learned counsel for the Applicant for ad-interim relief as he submitted that the charge-sheet is already filed and the matter is pending before the trial Court.

2. We have heard learned counsel for the Applicant for consideration of ad-interim relief today. He invited our attention to the FIR which is the subject matter of the Application. He submitted that the Respondent No.2, who has lodged the FIR, was a married lady. She was staying with her son, aged 11 years, in

the year 2021. The FIR describes many instances when the informant and the Applicant had their physical relations. On some occasions, even the husband of the Respondent No.2 was aware of their friendship. Subsequently on one occasion the informant was told by the Applicant that he was to get married with another lady. In spite of that the physical relations continued. It is her case that she consented to have physical relations because he had promised to marry her. But the FIR shows that it was a consensual relationship going on since March, 2018 till January, 2024 for almost six years. Therefore, according to learned counsel for the Applicant, no offence is made out.

3. Considering these submissions, the learned counsel for the Applicant has made out a case for grant of ad-interim relief. Hence, the following order:

:: O R D E R ::

- i. Stand over to 18.2.2025. Till then the trial Court shall not proceed against the Applicant.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)