

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

ANTICIPATORY BAIL APPLICATION NO.1 OF 2024

Iqramuddin Naseem Ahmed
Idrisi

.....Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Viral Rathod, Advocate for the Applicant.

Ms. Sharmila S. Kaushik, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 09th JANUARY, 2024

P.C. :

1. This matter is taken on production board at the instance of learned counsel for the speaking to the minutes of the order dated 4.1.2024 for correcting the typographical error. In the first paragraph of the order dated 4.1.2024, the Sections of IPC are mentioned. In that paragraph, instead of 'Section 376(2)(n)' 'Section 374(2)(n)' is mentioned. This is a typographical error and it can be corrected. Hence the following order :

:: O R D E R ::

- i. In paragraph-1 instead of 'Section 374(2)(n)', 'Section 376(2)(n)' be mentioned.
- ii. The corrected order be uploaded with this order. Rest of the order dated 4.1.2024 shall remain as it is.

(SARANG V. KOTWAL, J.)

CORRECTED ORDER DATED 4.1.2024 READS THUS :

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Iqramuddin Naseem Ahmed Idrisi ...Applicant

versus

The State of Maharashtra Respondent

Mr. Viral Rathod for the Applicant.

Ms. Pallavi N. Dabholkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 4th JANUARY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.987 of 2023 registered at Dharavi Police Station dated 20th December 2023 under Section 376 (2)(n), 417, 504, 506 of IPC.
2. Heard Mr. Viral Rathod, learned counsel for the Applicant and Ms. Pallavi N. Dabholkar, APP for the State. The FIR is lodged by the victim herself. She was 22 years of age at the time of lodging of the FIR. The Applicant is around the same age. The FIR describes that in September 2021, they came in contact with each other as the applicant was staying in the neighborhood of informant. They were in a relationship. The First Information Report describes that their relationship was taken to the next level. It also describes different incidents where they had physical relations. It is her case that the Applicant had promised to marry her. In spite of that, on most of these occasions, the physical relations were against her wish. The informant was regularly asking him about the marriage proposal, but he started avoiding her and did not show any inclination to get married. Finally on 16th October 2023, the

informant and her sister confronted him. But he refused to marry her and told her that he was not serious in the relationship. On this basis, the FIR is lodged.

3. Learned counsel for the Applicant submitted that the relationship was continuing for more than two years. The incidents mentioned in the FIR are improbable. In any case, from the FIR itself, it is clear that it was a consensual relationship and, therefore, no offence under Section 376 of IPC or 417 of IPC is made out. He submitted that he is willing to cooperate with the investigation.
4. Learned APP on instructions, submitted that the investigation did not reveal that on any of these occasions, when they visited different places and different lodges, there was any kind of resistance on her part.
5. Learned APP submitted that there are allegations that the Applicant had threatened the informant that he had a video clip which he intended to make viral. The investigation is necessary in that behalf. Considering both these submission, for the time being, the Applicant can be protected by way of interim

relief.

6. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.987 of 2023, registered at Dharavi Police Station, till the next date, the applicant is directed to be released on bail on his executing PR bond in the amount of Rs.30,000/- (Rs. Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) This order shall operate till 2nd February 2024.
- (iii) The Applicant shall cooperate with the investigation.
- (iv) The Applicant shall not cause any harassment to the first informant or her family.
- (v) Stand over to 2nd February 2024.

(SARANG V. KOTWAL, J.)