

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

CR. ANTICIPATORY BAIL APPLICATION NO. 348 OF 2024

Aananda Yashvant Shinde	...Applicant
<i>Versus</i>	
State Of Maharashtra & Ors	...Respondents

Mr. Omkar Nagwekar for the Applicant.
Mr. Pallavi N. Dabholkar, APP for the Respondent-State

CORAM : SARANG V. KOTWAL, J

DATED : 7th FEBRUARY, 2024

P.C.:

1. The Applicant is seeking anticipatory bail in connection with C. R. No. 745 of 2023 registered at Shivaji Nagar Police Station, dated 06/12/2023 u/s. 363 of the Indian Penal Code. Initially the offence was registered u/s 363 of IPC and subsequently section 12 of POCSO Act is added.
2. Heard Mr. Nagwekar, learned counsel for the Applicant and Ms. Dabholkar, learned APP for the Respondent-State.
3. The FIR is lodged by the father of the victim. The date of birth of the victim was 09/12/2005. She went missing from 06/12/2023. She had gone to her college but thereafter she did not return home. Therefore, her father lodged the FIR u/s 363 of the IPC. Subsequently, the victim and the Applicant came to the

police station and as on today the victim is residing with her parents.

4. Learned Counsel for the Applicant submitted that the victim and the Applicant got married. The victim is above 18 years now. The marriage took place after she became major and therefore, no offence is made out. He relied on the joint affidavit, a copy of which is annexed at Exhibit-A to this Application.

5. Learned APP seeks time as the investigating officer is not present. Considering these submissions made by learned Counsel for the Applicant, he can be protected by way of ad-interim relief till the next date. It is necessary to hear the victim's side also.

6. Hence, the following order:

ORDER

- (i) Leave to amendment. Amendment to be carried out to conceal the name of the first informant. The victim also be added as a party Respondent without disclosing her identity. Amendment to be carried out forthwith.
- (ii) Issue notice to the Respondent No. 2 and added Respondent, returnable on 27/02/2024.
- (iii) The investigating officer shall inform these two

Respondents about the pendency of this Application and the next date of listing.

- (iv) In the event of his arrest in connection with C. R. No. 745 of 2023 registered at Shivaji Nagar Police Station, till the next date, the Applicant be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (v) This order shall operate till **27/02/2024**.
- (vi) The Applicant shall cooperate with the investigation.
- (vii) Stand over to 27/02/2024.

(SARANG V. KOTWAL, J.)