

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

ANTICIPATORY BAIL APPLICATION NO. 1811 OF 2024

Yogesh Namdeo Kamble	...	Applicant
Versus		
The State of Maharashtra & Anr.	...	Respondents

Mr. Jayant Bardeskar for the Applicant.
Mr. Mayur S. Sonavane, APP for Respondent No.1-State.
Mr. Ranjeet M. Pawar for Respondent No.2.

**CORAM: MANISH PITALE, J.
DATE : 12th JULY 2024**

P.C. :

. Heard learned counsel for the applicant, learned APP for respondent-State and learned counsel having instructions to appear on behalf of respondent No.2 (first informant).

2. The applicant has approached this Court apprehending arrest in connection with FIR No. 0224 of 2024 dated 25th May 2024 registered at Baramati Police Station, Pune, for offences under Sections 376(2)(n) and 506 of the Indian Penal Code, 1860 (IPC).

3. According to respondent No.2-informant, the applicant who was working as HR Executive in a company wherein the informant was working a security guard, developed intimacy with the informant on the promise of marriage and had repeated sexual

intercourse with her. Subsequently, he stopped maintaining the relationship and therefore, the informant was constrained to approach the Police, leading to registration of the FIR.

4. The learned counsel for the applicant submits that prior to registration of the subject FIR, at the behest of the applicant, on 7th April 2024 itself, FIR No. 0157 of 2024 was registered at the very same police station, against the informant and two others under Section 388 of the Indian Penal Code, 1860 (IPC). The applicant specifically stated before the Police that the accused persons, including the informant, were seeking to extort huge amount from the applicant in the backdrop of the consensual relationship between the applicant and the informant. It is specifically submitted that the informant knew that the applicant is a married man having two children and therefore, the theory about the informant having been misled, cannot be accepted.

5. The learned APP and the learned counsel appearing for the informant have opposed the contentions raised on behalf of the applicant. The learned APP submits that specific allegations are made against the applicant, while the learned counsel appearing for the informant submits that complaints submitted to the employer under the provisions of the Sexual Harassment of Women at Workplace (Prevention and Redressal) Act, 2013, were prior in point of time i.e. in the month of March 2024. In one of such complaints and even when the informant approached the Police, she had specifically stated that she was given an impression

by the applicant that he was a bachelor and therefore, she was misled into physical intimacy with the applicant.

6. While the respondent No.2-informant can be granted permission to file reply affidavit along with relevant documents, at this stage, considering the FIR registered at the behest of the applicant on 7th April 2024 against the informant and others, which is prior in point of time, this Court is inclined to grant interim relief to the applicant.

7. In view of the above, the respondents are granted two weeks time to file reply affidavits.

8. In the meanwhile, the following interim order is passed :

- (a) Till the next date, in the event the applicant is arrested in connection with FIR No.0224 of 2024 dated 25th May 2024 registered at Baramati Police Station, Pune, he shall be released on bail on furnishing PR Bond of Rs.25,000/- and one or two sureties in the like amount.
- (b) The applicant shall remain present before the Investigating Officer on 15th July 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. The applicant shall cooperate with the investigation, including presenting himself for medical examination and surrendering his mobile phone.
- (c) The applicant shall not tamper with the evidence of the

prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

9. List for further consideration on 5th August 2024 (High on Board).

MANISH PITALE, J.