

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2225 OF 2024

Pooja Tanaji Lavate ... Applicant
Vs.
State of Maharashtra and another ... Respondents

Mr. Anant Vadgaonkar for Applicant.
Ms. Megha S. Bajoria, APP for Respondent No.1-State.
Ms. Ruju Thakkar (Appointed through Legal Aid) for Respondent No.2.
Mr. Nitin P. Nikam, Police Naik, Mhaswad Police Station, Satara.

CORAM : MANISH PITALE, J.
DATE : OCTOBER 07, 2024

P.C. :

. Heard Mr. Vadgaonkar, learned counsel for the applicant, Ms. Bajoria, learned APP for the respondent-State, as also Ms. Thakkar, learned counsel appointed to appear on behalf of the informant.

2. On 27.08.2024, this Court, while granting interim order in favour of the applicant, observed as follows:-

“7. This Court has perused the statement of the informant, leading to registration of the FIR. It is indeed found that the only specific allegation against the applicant is that her brother solemnized marriage with the informant-victim, who was minor and the marriage was solemnized at a temple near the house of the applicant. Considering the aforesaid limited role attributed to the applicant and considering the fact that the applicant is a woman, who is ready to co-operate with the investigation, this Court is of the opinion that interim relief deserves to be granted.”

3. In the present case, the allegation appears to be relatable to the offences under the Prohibition of Child Marriage Act, 2006. The brother of the applicant married the informant, who claims to have been a minor at the time when the marriage was solemnized. Section 10 of the

aforesaid Act provides for punishment for solemnizing a child marriage and abetting a child marriage is also treated as an offence. In the present case, in the statement of the informant, leading to registration of the FIR, reference to the applicant is in the context of the venue of the marriage, being a temple located near her house.

4. This Court is of the opinion that in such circumstances, considering the allegations levelled against the applicant and the fact that the investigation is now completed and charge-sheet is filed, coupled with the fact that the applicant has co-operated with the investigation in terms of the interim order passed by this Court, this Court is inclined to allow the application.

5. In view of the above, the interim order dated 27.08.2024 is confirmed and the application is allowed, subject to the applicant continuing to co-operate with the investigation. The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses or any other person concerned with the case.

6. The application stands disposed of.

(MANISH PITALE, J.)

Minal Parab