

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2553 OF 2024**

Sandip Ashokrao Holkar	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Vivek Arote a/w. Mr. Akshay Dingale for applicant.

Ms. Rutuja Anil Ambekar, APP for respondent-State.

**CORAM : MANISH PITALE, J.
DATE : 22nd OCTOBER, 2024**

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. By order dated 23.09.2024, this Court granted interim relief in favour of the applicant by imposing specific conditions, including a direction that he shall appear before the investigating officer on 26.09.2024.

3. The learned APP, on instructions, submitted that the applicant did appear before the investigating officer and that he has surrendered his mobile phone.

4. While granting interim order, this Court had recorded the following reasons:

“6. This Court has considered the rival submissions in the light of the material on record. *Prima facie*, it appears that offence under Section 67A of the IT Act cannot be said to

be made out. The messages exchanged between the parties do indicate that although the informant was resisting the advances made by the applicant, he appears to be have been pursuing her and the impression gathered by this Court is that the applicant is obsessed with the informant. The relationship between the two is that the informant is the daughter-in-law of the cousin of the applicant. The learned APP is justified in saying that this aspect of the matter also needs to be taken into consideration. But, in the facts and circumstances of the present case, as the only non-bailable offence can be said to be Section 75 of the BNS, since the applicant is ready to give an undertaking that he would cease to have any contact with the informant and he also undertakes to co-operate with the investigation, while keeping the application pending, this Court is inclined to grant interim relief to the applicant.”

5. Considering the fact that the applicant has surrendered his mobile phone and he is co-operating with the investigation, it would be appropriate to confirm the interim order and allow the present application, subject to the applicant abiding by the directions given by this Court not to contact the informant in any manner and make any attempt to reach out to her on social media.

6. In view of the above, the interim order dated 23.09.2024 is confirmed and the application is allowed, subject to the applicant abiding by the said directions and also, continuing to co-operate with the investigation. He shall not tamper with the evidence of the prosecution in any manner. He shall also not influence the informant, witnesses and other persons concerned with the case.

(MANISH PITALE, J)