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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2922 OF 2024

Anuj Hariom Gupta ...Petitioner
Versus
The State Of Maharashtra And Anr ...Respondents

Mr. Shailesh S. Kharat a/w. Ashish Raghuwanshi & Vipul Makwana
i/b. Jugal J. Kanani for Applicant.
Ms. Rashmi S. Tendulkar, APP for Respondent No.1/State.
Mr. Vijay Mhetre, API, I.O. Lonavala Gramin Police Station is present.

CORAM : M.M. SATHAYE, J.

**DATE : 29th OCTOBER, 2024
(VACATION COURT)**

P.C. :

1. This is an application for pre-arrest bail by Applicant in connection with C.R. No. 264/2024 registered with Lonavala Gramin Police Station, for the offences punishable u/s. 376 & 417 of the Indian Penal Code, 1860.
2. Heard learned counsel for the Applicant/Accused and learned APP for the Respondent/State. Issue notice to Respondent No. 2 through the concerned police station returnable on 26.11.2024.
3. Perused the FIR dated 4/9/2024 and the order dated 14/10/2024 passed by Additional Sessions Judge, Vadgaon Maval, Pune by which the pre-arrest bail application of the Applicant was rejected.

4. Learned counsel for the Applicant has relied upon certain print outs of text message exchanged between the parties submitting that it indicates consensual relationship, over a period of time. Perusal of the order dated 14/10/2024 would show that the Complainant was meeting the Accused since June 2021. It also appears that thereafter, the Complainant was meeting the Accused from time to time till 4/3/2023 when the incident narrated in the FIR took place. It appears that thereafter, the relationship turned sour. Apparently, the alleged offence has taken place in March 2023 for which the FIR was filed in September 2024. Learned APP submits on instructions from the Investigating Officer who is present in the Court, that the Applicant's presence is necessary for investigation including medical examination.

5. In the aforesaid facts and circumstances, the case for ad-interim protection is made out.

6. Hence, following **ad-interim order** is passed:

- i. In the event of the arrest of Applicant - Anuj Hariom Gupta in connection with C.R. No. 264/2024 registered with Lonavala Gramin Police Station, he be released on bail on executing PR.Bond of Rs.25,000/- with one or more surety in like amount.
- ii. The Applicant is directed not to tamper with prosecution evidence and not to influence any of the witnesses involved.

iii. The Applicant is directed to co-operate with the investigation and he is further directed to report to the concerned Police Station on 5/11/2024 for investigation and medical examination and thereafter, as and when required.

7. Place this application before the regular Court on 26/11/2024 for further hearing.

8. All concerned to act on authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)