



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.171 OF 2024

(Suvarna d/o Sukhdev Nemane and ors. Vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N.B. Kalwaghe, Advocate for the applicants.
Ms S. Haider, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 15, 2024.

Apprehending the arrest at the hands of the police in connection with Crime No.107/2024 registered with Police Station Chikhli, District Buldhana for the offences punishable under Sections 392, 354, 325, 323, 504 and 506 read with Section 34 of the Indian Penal Code, the applicants approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicants submitted that as far as applicant No.3 is concerned, only allegation against him is that he subjected the victim for outraging the modesty. In fact, due to the previous dispute he is implicated by making false allegations against him. He submitted that as far as the other co-applicants are concerned, there is no specific allegations against them, their custodial interrogation is not required. In view of that, they be proected by granting anticipatory bail.

3. Learned APP strongly opposed the application on the ground that as far as the applicant No.3 – Pradeep

s/o Eknath Zalte is concerned against whom there is specific allegation that he attempted to disrobe the victim by pulling her saree and also touched to her breast.

4. At this stage, learned Counsel for the applicant further submitted that he is withdrawing the application to the extent of applicant No.3 – Pradeep s/o Eknath Zalte is concerned.

5. I have heard learned Counsel for both the parties. Perused the recitals of the FIR. As far as the applicant Nos.1 and 2 are concerned, the general allegations are made against them. There is no allegation against them of outraging of the modesty. In view of that, their custodial interrogation is not required. As far as applicant No.3 is concerned, the prayer for grant of anticipatory bail is withdrawn.

6. The application to the extent of applicant No.3 – Pradeep s/o Eknath Zalte is withdrawn, and therefore, no order as to the applicant No.3 is concerned.

7. The interim protection granted to applicant Nos.1 and 2 deserves to be confirmed.

8. The ad-interim protection granted in favour of applicant Nos.1 and 2 vide order dated 06/03/2024 is hereby confirmed on the same terms and conditions.

9. The application is disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)