



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

CRIMINAL APPLICATION (ABA) NO.487 OF 2024

(Rahul s/o Pratapsingh Thakurani and ors. Vs. 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. M.V. Rai, Advocate for the applicants.
Mr. K.R. Lule, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 26, 2024.

Heard.

2. By this application, the applicants are seeking pre-arrest bail in connection with Crime No.137/2024 registered with Police Station Akot, District Akola for the offence punishable under Sections 354, 354-A, 354-D, 209 read with Section 34 of the Indian Penal Code.

3. Learned Counsel for the applicants submitted that the accusation against the present applicants is on the basis of report lodged by the victim who is aged about 27 years. It is alleged that in the year 2022 she got acquaintance with applicant No.1 through social media and thereafter love affair was developed between them. But applicant No.1 projected that she got married with him and filed false application before the Family Court for restitution of conjugal rights. It is further alleged by her that applicant No.1 has prepared the false document to show that she is his wife and used to call her and harassed her and outraged her modesty. On the basis of said report,

police have registered the crime against the present applicants.

4. Learned APP strongly opposed the said application on the ground that the applicants have prepared the false documents and also filed false application before the Family Court stating that victim is the wife of applicant No.1. In fact no such marriage has performed and he has sexually harassed the victim by making her phone call repeatedly.

5. I have heard learned Counsel for both the parties. Perused the investigation papers from which it reveals that there was a love affair between victim and the applicant No.1 and out of that they were communicating with each other. Only allegation against applicant No.1 is that he used to call her repeatedly and was asking her to perform marriage with her and therefore, she filed the complaint. It is apparent from the investigation papers that applicant No.1 has filed petition before the Family Court stating that victim is his wife. Whether the documents prepared or relied upon by the applicants are forged or not is a matter of evidence. At this stage, the custodial interrogation of the applicants is not required. In view of that, the applicants are entitled for grant of anticipatory bail. Accordingly, I proceed to pass the following order:

- (i) The application is allowed.

(ii) In the event of arrest, the applicants –
1) Rahul s/o Pratapsingh Thakurani,
2) Pratapsingh s/o Devidas Thakurani and
3) Juhi s/o Pratapsingh Thakurani in
connection with Crime No.137/2024
registered with Police Station Akot, District
Akola for the offence punishable under
Sections 354, 354-A, 354-D, 209 read with
Section 34 of the Indian Penal Code, be
released on anticipatory bail on executing a
PR.Bond in the sum of Rs.25,000/- each with
one solvent surety each, in the like amount.

(iii) Applicant No.1 shall attend the
concerned police station once in a week i.e.
on every Sunday between 10.00 a.m. and
1.00 p.m. till filing of the charge-sheet and
applicant Nos.2 and 3 shall attend the
concerned police station as and when
required for the investigation purpose and
shall cooperate with the investigating agency.

(iv) The applicants shall not directly or
indirectly make any inducement and threat or
promise to any person acquainted with the
facts of the present case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)