



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Appeal No. 55 Of 2025

Ratnakar Subhash Patil

Age : 30 years, Occupation - Service.

R/o Shirud Naka, Amalner,

Tq. Amalner, District Jalgaon.

.. Appellant

Versus

1. **State of Maharashtra**

through Police Inspector,
Amalner Police Station,
District Jalgaon.

2. **The Superintendent of Police,**
Jalgaon.

3. **XYZ**

.. Respondents

* **Mr. Hemantkumar F. Pawar,**
Advocate for Appellant.

* **Mrs. Chaitali Chaudhari Kutti,**
APP for Respondent Nos. 1 and 2/State.

* **Mr. Bhushan I. Mahajan,**
Advocate for Respondent No. 3.

CORAM : SHAILESH P. BRAHME, J.

DATE : 24th MARCH 2025

PER COURT :

. Heard both sides.

2. The Appellant is challenging order dated 22.11.2024 rejecting his application seeking pre-arrest bail in furtherance of offence bearing C.R. No.487/2024 registered with Amalner Police Station, Dist. Jalgaon under Sections 64, 115 of Bhartiya Nyaya Sanhita, 2023 and under Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. It is alleged by the Respondent No.3/Informant that Appellant was divorcee and she came in contact with Appellant who belonged to upper caste. Believing the promises of marrying with Informant, she permitted him to keep physical relationship from 2021 to 2023. Even amount of Rs.1,00,000/- was also lent by her for medical treatment of his mother. She was harassed when amount was demanded by the Informant. Informant was forced to terminate the pregnancy. Instead of marrying with the Informant, Appellant contracted marriage with Informant's elder sister. Informant was being abused on caste.

4. Learned Counsel Mr. Hemantkumar Pawar for the Appellant submits that entire version of the Informant in First Information Report is concocted right from date of her marriage with Prasad. She was in relationship consensually with the Appellant. Her theory is falsified from the medico-legal report, Column no.15(VII). Her conception was not due to the

Appellant. It is submitted that on 18.07.2024, agreement was executed by the Informant, assuring the Appellant that he would not be harassed by her. It is submitted by learned Counsel that Informant is harassing Appellant and elder sister with whom he married and therefore complaints were required to be filed on 23.10.2024 and 04.03.2025. The conduct and the version of the Informant is untrustworthy.

5. Per contra, learned APP refers to her affidavit-in-reply to oppose the submission of Appellant. She would submit that the Appellant is avoiding the arrest, though charge-sheet is filed, in March, 2025. His custodial interrogation is required. My attention is adverted to the statement of Ganesh and Ashok to show that the Appellant and the Informant were in relationship. The Appellant is pressurizing the Informant. If the bail is granted then there is danger to life of the Informant.

6. Learned Counsel for Respondent No.3 submits that his client was required to submit affidavit before the Civil Court due to the pressure exerted by the Appellant and under hope that Appellant would marry her. It is submitted that the Appellant has exploited Petitioner as well as her elder sister. Informant was required to file complaint on 23.03.2025 for the threats given by Appellant.

7. I have gone through the relevant papers of investigation and the affidavit-in-reply. Charge-sheet is already filed in the matter and the Appellant is shown to have been absconding. The investigation with the Appellant could not be conducted. There is discrepancy about the date of the marriage of Informant with her earlier husband - Prasad and she was shown to be divorcee. These are not mitigating factors for granting relief to the Appellant.

8. Appellant and the Respondent No.3 were living together. Informant was working as Nurse and she had lent amount of Rs.1,00,000/- to the Appellant. For the repayment of which agreement was executed on 18.07.2024. The statements of the witnesses and the allegations in the First Information Report do indicate the disadvantage taken by the Appellant of the Informant. It is her exploitation of physically and financially also. It is further apparent that he married with elder sister of the Informant on 14.07.2024.

9. The submission of learned Counsel Mr. Pawar drawing my attention to medico-legal report cannot be accepted at this juncture. The Appellant is pressurizing the Informant is evident from her complaint on 23.03.2025. In all probabilities his pressure tactics continued through complaints of

Informant's sister made on 23.10.2024 and 04.03.2025. It needs to be investigated as to whether marriage of the Appellant with Informant's sister is lawful or not. Considering over all circumstances, the role played by the Appellant and his conduct disqualified him to claim any pre-arrest protection.

10. I do not find that there is any perversity or patent illegality in rejecting application by impugned order. Criminal Appeal is dismissed.

SHAILESH P. BRAHME
JUDGE

Najeeb..