



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 ANTICIPATORY BAIL APPLICATION NO. 219 OF 2025

TUKARAM SHANKAR MULE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. S.B. Choudhari

APP for Respondents 1 & 2 : Mr. S.K. Shirse

Advocate for Respondent 3 : Ms. Mahalaxmi Agarwal (appointed)

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 18/03/2025

PER COURT :

1. Heard the learned counsel for the applicant, the learned APP for the respondents-State and Mrs. Mahalaxmi Agarwal, learned advocate assisting APP.
2. The applicant is apprehending arrest in connection with Crime No. 11/2025 dated 10.1.2025 registered with Naldurg Police Station, Tq. Tuljapur, District Dharashiv for the offences punishable under sections 64(1), 64(2)(m), 69, 352, 351(2), 351(3), 49, 3(5) of B.N.S., 2023.
3. This Court by order dated 18.2.2025 has granted interim protection to the applicant, noting the submissions at para No. 3, as under :-

"3] The learned counsel for the applicant submits that at least from the FIR it appears that the relations were consensual in the nature and the same has turned sour over the period of time. The learned counsel for the applicant seeks permission to make the victim as a party in the application."

4. The learned counsel for the applicant submits that in pursuance of the above interim order of this Court, the applicant has attended the concerned police station and has cooperated with the investigation. The learned

counsel submits that he has handed over the mobile phone to I.O.

5. The case against the applicant is that the applicant had kept physical relations with the informant from October 2022 till March 2023 under the pretext that the applicant would marry with the informant. In the statement under section 183 of B.N.S., she has stated that in March 2023 her relations with applicant was broken and prior to that there is assurance on behalf of the applicant that he would marry with the informant and that due to caste difference the applicant is now resiling from the marriage.

6. Considering that the relations between the applicant and informant were consensual and the relations came to an end in March 2023 and the FIR being registered on 10.1.2025, I deem it appropriate to confirm the interim protection granted on 18.2.2025.

7. In view of the above, the application is allowed and the interim protection granted on 18.2.2025 is confirmed on the following terms :

i] The applicant shall attend the police station as and when required.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii. The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

8. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

9. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the

observations made hereinabove.

10. The application stands disposed of.

11. Fees of Rs.10,000/- be paid to Mrs. Mahalaxmi Agarwal, learned counsel appointed for respondent No. 3 by the Legal Services Sub Committee, High Court Bench at Aurangabad.

[ARUN R. PEDNEKER, J.]

SSC/