



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

937 ANTICIPATORY BAIL APPLN. NO. 311 OF 2025

**AVINASH VILAS BHALERAO
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Applicant : Mr.S.J.Salunke
APP for Respondent-State : Mr.S.P.Sonpwale
Advocate for Assist of P.P. : Mr.R.K.Kasat a/w. Mr.Akarsh
Malvadkar

...

**WITH
CRIMINAL APPLICATION NO. 1089 OF 2025
IN ABA/311/2025**

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 28.03.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application No.1089 of 2025 for assisting to P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant and the learned APP for the respondent-State.

3] The applicant is apprehending arrest in connection with Crime No. 0024/2025, registered with

Chikalhana Police Station, Dist. Aurangabad, for the offence punishable under Section 313, 323, 376 (2)(n), 504, 506 of the Indian Penal Code, 1860.

4] This Court, by order dated 25.02.2025, has granted interim protection in favour of the applicant for the submissions and reasons stated in para nos. 3 to 5, as noted below :

3] The case against the applicant is that he maintained physical relations with the informant from December 2020 to June 2024 on promise of marriage. It is stated that on two occasions the informant was pregnant and, thereafter, aborted at the instance of the applicant. It is stated that the applicant has now avoided marriage, as such, the FIR is registered against the applicant.

4] The learned counsel for the applicant points out that the informant was divorced on 28.11.2022 vide order dated 28.11.2022, passed in HMP No.213 of 2022, placed on record of the application at page no.37, Exhibit "C". He also submits that there cannot be a promise of marriage, while she was married. Further, the relations of the applicant is stated to have been continued till 2024.

5] Prima facie, the relation of applicant with informant is consensual one, which have turned sour for whatever reason. In view of the same, the interim protection would be granted to the applicant.

5] The learned counsel for the applicant submits that in terms of aforesaid order, the applicant has co-operated with the investigation.

6] The learned counsel for assist to P.P. submits that there are certain photographs and video available with the applicant and there is possibility that he may viral these photographs in future.

7] In pursuance of the aforesaid submissions made by the learned counsel for the Assist to P.P., the learned counsel for the applicant submits that the applicant does not have any photographs and video of the informant, so also, even if the photographs are available with the applicant, he would not viral and transmit the same.

8] Undertaking of the applicant is accepted.

9] In view of the same, the interim protection granted by order dated 25.02.2025 stands confirmed, in the following terms :

i] The applicant shall attend the concerned police station as and when required by the investigating officer.

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 and the applicant shall not contact with the informant.

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

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

11] 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.

12] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC