



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

54 ANTICIPATORY BAIL APPLICATION NO. 699 OF 2024

PRAVIN VASANT JAWANE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Shekade Shashikant E
APP for Respondent/State: Mr. N. B. Patil

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 03.02.2025

P.C. :

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

2] The applicant is apprehending arrest in connection with Crime No.0072/2024, dated 21.03.2024, registered at Kranti Chowk Police Station, District Chhatrapati Sambhajingar, for the offences punishable under Sections 313, 354-D, 376(2)(n) of the IPC.

3] This court by order dated 03.05.2024 granted interim protection to the applicant.

4] The allegations against the applicant are that prior to the registration of the FIR the applicant had taken

the informant to some lodge by giving her pills wherein she has lost the control of herself and when they stayed in the lodge the applicant had physical relations with the informant. The incident is alleged to have taken place in the year 2022 and, thereafter, the FIR is filed in the year 2024.

The learned counsel for the applicant submits that these are the consensual relations and that there is specific evidence on record indicating that the applicant and informant had visited various lodges and stayed together on various occasions after the above alleged incident of the year 2022. So also, the learned counsel for the applicant submits that there is whatsapp chats indicating the relations.

The evidence as regards the applicant staying with the informant after 2022 on various occasions is available on record.

5] Prima facie, this would be a case of consensual relations and it would be the responsibility of the prosecution to establish the case as alleged at the stage of trial.

Considering the same, the interim protection granted by order dated 03.05.2024 deserves to be confirmed.

6] In view of the above, the interim protection

granted by order dated 03.05.2024 stands confirmed, on the following terms:

i] The applicant shall attend the 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.

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

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

8] 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.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE