



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 816 OF 2024

Devendra Santaram Jagtap

VERSUS

The State Of Maharashtra And Another

- Mr. N. D. Sonawane, Advocate for the Applicant
- Mr. B. A. Shinde, APP for the Respondent/State
- Mr. A. E. Madne, Advocate for the Respondent No. 2 (appointed)

CORAM : R.M. JOSHI, J

DATE : JANUARY 07, 2025

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 157/2024 registered with Shillegaon Police Station, Dist. Aurangabad for the offences punishable under Sections 354, 354-D, 506 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act.

2. First informant is the minor girl. It is alleged by her that Applicant herein compelled her to take photograph on 04.07.2023 while she was in the college premises. It is stated that he threatened her to defame if she does not maintain love relationship with him. It is also stated that Applicant is involved

in act of stalking her.

3. Learned Counsel for the Applicant submits that Sessions Court has committed error in rejecting the application solely on the ground that the photographs of the victim are made viral by the Applicant on Instagram. He makes statement, on instructions, that no any photograph of the victim was ever made viral by the Applicant on any social media. He claims that Applicant has no criminal history and hence, his liberty be protected.

4. Learned APP and learned Counsel for Informant opposed the grant of pre-arrest bail. Learned APP sought instructions from the Investigating Officer as to whether any photograph of the victim is made viral by the Applicant on any social media. He makes statement that he does not do so.

5. This Court on calling upon the Counsel for the Applicant, he took instructions from the Applicant to make a statement that Applicant will not involve in any act of stalking victim girl or doing any act which will cause mental or physical harassment to her. This statement is

accepted as an undertaking to this Court.

6. FIR in respect of incident of 04.07.2023 is lodged on 26.04.2024. Though there is allegation that the Applicant had threatened to make her photograph viral, in fact nothing of that sort is seems to have been done by the Applicant. Undertaking given by the Applicant to this Court sufficiently protects the interest of the victim. Hence, application is allowed by confirming interim order dated 15.05.2024.

7. Fees of appointed Counsel is quantified at Rs. 10,000/- to be paid to High Court Legal Service Authority Sub-Committee, Aurangabad.

(R.M. JOSHI, J.)