



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 ANTICIPATORY BAIL APPLICATION NO. 2064 OF 2024

BALAJI MAHADEV CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Tapse Ashok Ramdhan
APP for Respondent/State : Mr. G.O. Wattamwar

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 13.02.2025

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with Crime No. 546/2024 dated 13.10.2024, registered with Kaij Police Station, District Beed, for the offences punishable under section 69 of Bhartiya Nyaya Sanhita, 2023.
3. This Court by order dated 9.12.024 has granted interim protection to the applicant by noting submissions at para 4 and 5 of the order, as under :-

"4. The learned counsel for the applicant submits that the allegation against the applicant, who is of 23 years old, is that he has kept physical relations with the prosecutrix, who is widow and allegedly aged 30 years, having a 13 year old child, by making false promise of marriage for the period of one year. It is also alleged that applicant has taken some gold ornaments and amount of Rs.50,000/- from the prosecutrix by deceiving her.

5. From the submissions made, it appears that the prosecutrix is having a 13 year old child. The applicant is 23 years old. The relation between applicant and prosecutrix continued for the period of one year. Considering the above, prima facie, it is difficult to accept that sexual relations were kept by the applicant with the prosecutrix by giving false

promise of marriage. In view of above, I hold that applicant is entitled to interim protection.”

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

5. Considering the same and considering that interim protection has been granted on 9.12.2024 to the applicants, the interim protection can be confirmed.

6. In view of the above, the application is allowed and the interim protection granted on 9.12.2024 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.

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, J.]

SSC/