



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.210 OF 2025

(Mo. Rajik Mo. Rab Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.S. Sheikh, Advocate for the applicant.
Mr. N.B. Jawade, APP for the State.
Ms N.P. Dhoke, Advocate for non-applicant No.2.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- MARCH 28, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 16/07/2024 in connection with Crime No.622/2022 registered with Police Station Umarkhed, District Yavatmal for the offences punishable under Sections 376(2)(n), 384, 500, 201 read with Section 34 of the Indian Penal Code and Section 67 of the Information Technology Act, 2000.

2. The crime is registered on the basis of report lodged by the victim aged about 34 years on an allegation that the applicant induced her and developed physical relationship with her by blackmailing her and by demanding the money on various occasions. He has also promised her for marriage, and thereafter obtained her obscene photographs and videos and also circulated the same. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as the allegation as to the obtaining of the

obscene photographs and videos are concerned, which are not substantiated by any material collected during the investigation. He submitted that there was a consensual relationship between the present applicant and the victim and out of the said relationship the physical relationship was also developed. Now, investigation is already completed and charge-sheet is filed, further incarceration of the applicant is not required.

4. Learned APP strongly opposed the application and submitted that considering the allegation that obscene photographs are obtained and circulated, therefore, the application deserves to be rejected.

5. Learned Counsel for non-applicant No.2 submitted that now the applicant and the victim are performing the marriage, and therefore, the victim has no objection to release the applicant on bail.

6. I have heard learned Counsel for both the sides. Perused the investigation papers. During investigation, the mobile phone of the applicant is already seized and already forwarded to the analysis. Now, the investigation is completed and charge-sheet is filed. From the statement of the victim and statements of the other witnesses it reveals that there was a consensual relationship. Admittedly, at this stage, whether the accused is performing marriage or not, cannot be considered but considering now the investigation is

completed and charge-sheet filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) The applicant - Mo. Rajik Mo. Rab in connection with Crime No.622/2022 registered with Police Station Umarkhed, District Yavatmal for the offences punishable under Sections 376(2)(n), 384, 500, 201 read with Section 34 of the Indian Penal Code and Section 67 of the Information Technology Act, 2000, be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(iv) The applicant shall attend the proceedings before the Special Court without seeking any exemption unless there are exceptional circumstances.

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)