



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

CRIMINAL APPLICATION (ABA) NO.290 OF 2025

(Mr. Umaji s/o Mengaji Gayakwad Vs. State of Maharashtra)

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

Court's or Judge's Order

Mr. VS. Sambre, Advocate for the applicant.
Ms S.V. Kolhe, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MAY 6, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.443/2024 registered with Police Station Chamorshi, District Gadchiroli for the offence punishable under Sections 74 and 76 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by son of the victim on an allegation that on 22/12/2024 at about 7:00 p.m. the present applicant entered in his house and called her mother who is deaf and dumb on a pretext of giving the amount, and thereafter pressed her neck and mouth and attempted to pull her saree. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that due to the previous enmity, this false and baseless allegations are levelled against the present applicant. As

far as the custodial interrogation is concerned which is not required. In view of that, he be protected by granting ad-interim protection.

4. Learned APP strongly opposed the application and seeks time to file reply.

5. Initially, the interim protection was not granted to the present applicant considering a deaf and dumb old lady subjected for the outraging of modesty by using the criminal force. Now, considering the allegations levelled against the present applicant, admittedly, the immediate custodial interrogation is not required. Moreover, the Investigating Officer is not available, and therefore, the reply is not filed by the learned APP. Considering the same, at this stage, the applicant can be protected by granting ad-interim protection till filing of the reply by the State. Accordingly, I proceed to pass following order:

(i) Issue notice to the non-applicant, returnable after Summer Vacation, 2025.

(ii) Learned APP waives notice for the State and seeks time to file reply.

(iii) In the event of arrest, the applicant - Mr. Umaji s/o Mengaji Gayakwad in

connection with Crime No.443/2024 registered with Police Station Chamorshi, District Gadchiroli for the offence punishable under Sections 74 and 76 of the Bharatiya Nyaya Sanhita, 2023, be released on ad-interim anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(v) 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.

(vi) The applicant shall not enter into the vicinity of Taluka Chamorshi, District Gadchiroli, till filing of the charge-sheet.

(URMILA JOSHI-PHALKE, J.)