

Order below Exh.1 in Cri. Bail Application No. 104/2022

Iftasum Tayab Khan

.. Applicant/
Accused.

Vs.

The State of Maharashtra
through Police Inspector,
Satpur Police Station, Nashik.
(Cr. No.I 01/2022)

.. Prosecution

Order below Exh. 1.

1. This application has been filed by the applicant/accused under section **439 of Cr.P.C.** for releasing him on **regular bail** in the aforesaid Crime registered at Satpur Police Station, for the offence punishable under section 323, 341, 354-D, 354-A(1)(2), 504, 506(2), 509 of the Indian Penal Code and u/s. 3(1)(s)(w) of SC & ST Act.

2. According to the prosecution case, the FIR was lodged by one Archana Sanjay More who is 28 years old woman, alleging therein that in the year 2019 she was working at Khan Constructions located near Jyoti Structure, Satpur. She became acquainted with the son of her employer who is arraigned as an accused in this case. Their acquaintance developed into an affair. Everything went well for the period of 3-4 months. Thereafter, complainant broke all relations with the applicant owing to the

reasons that applicant used to insist her to visit different places with her and to roam around with him. Despite breaking relations with him, the applicant continued to follow her and started insisting her for marriage. She further alleges that applicant had threatened her to make her nude photographs viral on social media and also threatened to throw acid on her face. The complainant was not interested and was fed up with the applicant's continuous persuasion. So, she lodged report with the concerned police station.

Based on her report, crime was registered against the applicant vide CR No.I-01/2022 and he was arrested on 02.01.2022 and since then, he is in judicial custody.

3. The learned counsel Shri M.Y.Kale appearing for the applicant/accused has argued that the applicant is innocent and has not committed any offence. The applicant and complainant were in love with each other. During the said period, the applicant purchased vehicle for her and also extended monetary help from time to time. She broke all relations with him without any justified reasons. It was quite natural on the part of the applicant to convince her. He is not a criminal. All allegations of threatenings are false. He has no criminal antecedents. He is ready to abide by each and every conditions if any imposed by this Court. Lastly, he prayed for allowing his application.

4. The investigating Officer has filed say vide Exh.5 and

strongly opposed the application on the ground that the offence is serious in nature. If applicant is released on bail, he may commit serious offence again. The investigating officer has collected sufficient evidence I.e What's App chat and pics which shows that applicant had threatened the victim. He has abused the complainant on her Caste and defamed her through Social media. There is every possibility that applicant may pressurize the witnesses and tamper with evidence, if released on bail.

The ld. APP Smt Sangale has argued that applicant has committed serious offence. The investigation is in progress. She has submitted in line with the say of the investigating Officer. Lastly, she prayed for rejection of the application.

5. After hearing both the learned counsels and on perusal of the Case-diary, it appears that the applicant and the complainant were in love with each other. After couple of months, complainant finds that she is not compatible with the applicant and so broke all relations with him. Though the reasons stated by the complainant was not acceptable to the applicant, he continued to follow her and insisted for marriage. Considering the nature of the offence, punishment prescribed, period of detention, I am inclined to release the applicant on bail with stringent conditions.

Order

1. Application is hereby allowed.
2. Applicant/ accused – Iftasum Tayab Khan

shall be released on **regular bail** on furnishing his P. R. bond of Rs.15,000/- with one surety in the like amount..

He shall -

(a) not act in manner injurious to the interest of the prosecution.

(b) furnish the address of his residence, copy of Pan and Adhar card at the time of execution of bond and shall not change the residence without prior permission of this Court.

3. If the applicant/accused commit breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

(**Smt. S.S. Nair**)

Date : 09.02.2022.

I/c.

Addl. Sessions Judge-4, Nashik.

Addl. Sessions Judge-2, Nashik.