

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1842 OF 2015

Dhiraj Hanumant Jadhav & Ors.

.... APPLICANTS

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. V.B.Patil, Advocate for Applicants.

Mrs. V.A.Shinde, A.P.P. for Resp.– State.

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CORAM : V.M.DESHPANDE, J.

DATE : 30th APRIL, 2015

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PER COURT :

1. By the present application, applicants are seeking anticipatory bail since they are apprehending their arrest in connection with Crime No. 16/2015 registered with police station Dhule City, Dist. Dhule for the offences punishable u/s 498 (A), 323, 406, 504, 506 read with 34 of the Indian Penal Code.

2. Heard Mr. V.B.Patil, learned counsel for the applicants and Mrs. V.A.Shinde, learned A.P.P. for respondent – State.

3. Present applicants are husband and in-laws of first informant Jagruti. Marriage between Jagruti and applicant

No. 1 Dhiraj Hanumant Jadhav took place on 23/05/2013. F.I.R., which is lodged on 29/01/2015, alleges that she was illtreated. The allegations in so far as illtreatments are concerned, those are general in nature against the applicants. Last incidence, which according to F.I.R., has occurred on 24/03/2014. However, for good eight months, though the first informant was in her parental house, did not lodge any report or complaint against the applicants. It is only on 05/11/2014, application was moved before the Women Redressal Cell at Dhule.

4. Learned A.P.P. in all her fairness has pointed out that after the application was submitted to the Cell, notices were issued to the present applicants and in pursuance to the said notices, they appeared before said Cell and the husband has expressed his desire to continue cohabitation with first informant. However, it is the first informant who has refused to settle the matter amicably.

5. In view of lodging of F.I.R. at belated stage, in spite of the opportunity that was being available with the first informant at the earliest, false implication at the behest of first informant can not be ruled out, looking to the strain matrimonial relations between first informant and the applicants.

6. Hence, I pass the following order :

(i) Present Criminal Application is hereby

allowed.

(ii) In the event of arrest, in connection with Crime No. 16/2015 registered with police station Dhule City, Dist. Dhule for the offences punishable u/s 498 (A),323,406,504,506 read with 34 of the Indian Penal Code, applicant No. 1 Dhiraj Hanumant Jadhav, applicant No. 2 Minabai Hanumant Jadhav, applicant No. 3 Hanumant Rajaram Jadhav, applicant No. 4 Sandesh Hanumant Jadhav, applicant No. 5 Yogita Rajendra Chavan and applicant No. 6 Monika Pankaj Shelke be released on anticipatory bail on they executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount by each of them.

(iii) Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]