

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
BENCH AT AURANGABAD.  
Criminal Appellate Jurisdiction.**

**CRIMINAL APPLICATION NO. 2706 OF 2015.**

URMILA D/O ABHIMANYU DANANE.  
( Urmila w/o Yuvraj Khandare.)

**VERSUS**

THE STATE OF MAHARASHTRA.

**Appearance       =>**

Mr. Bhagwat A. Shinde, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

**CORAM       :       V.M. Deshpande, J.**

**DATE         :       16<sup>th</sup> June, 2015.**

**Per Court :-**

Present Criminal Application is filed by the applicant for grant of anticipatory bail, since she is apprehending her arrest in connection with First Information Report bearing M.Case Crime No.95/2015 dated 28<sup>th</sup> March, 2015 registered with Police Station, Osmanabad (City), District - Osmanabad for the offences punishable under Section/s. 420, 467, 468, 471 of the Indian Penal Code.

[2] First Informant – Yuvraj has filed an application under Section 156(3) of the Code of Criminal Procedure before the learned Chief Judicial Magistrate, Osmanabad which was registered as R.C.C.No.106/15. According to the same, Yuvraj is working as Police Head Constable and he owns agricultural lands at village Kadamwadi, Taluka – Tulzapur.

[3] It is alleged that, present Applicant on 7<sup>th</sup> June, 2015 filed bogus certificate of Civil Hospital, Osmanabad with the District Social Welfare Officer, Osmanabd and obtained the loan. It is also alleged in the complaint that present applicant is not his wife and she is claiming to be his wife, falsely.

[4] I have heard Heard Mr. Bhagwat A. Shinde, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor.

[5] The learned counsel for the applicant invited my attention to the Judgment passed by the learned Judicial Magistrate, First Class, Tulzapur in Cri.M.A.No.107/2010 filed by the present Applicant and her two daughters and one son. That proceedings was filed under Section 127 of the Code of Criminal Procedure for enhancement of the maintenance allowance. The maintenance allowance was granted in favour of the applicant by the competent court in Cri.M.A.No. 155/02. In the said case and also in Cri.M.A.No.107/10 the learned Magistrate has recorded the findings that present Applicant is legally married wife of first informant – Yuvraj.

[6] In that view of the matter, now it does not lie in the mouth of the First Informant that present Applicant is falsely claiming her as his legally wedded wife.

Further the authority which has sanctioned the loan in favour of the applicant has not filed any complaint with Police or before any authority alleging that present applicant has used bogus document so as to obtain the loan.

[7] In that view of the matter, present application needs to be allowed. Hence, following order is passed :-

**ORDER**

- (i) Criminal Application is allowed.
- (ii) In the event of arrest, Applicant - URMILA D/O ABHIMANYU DANANE ( Urmila w/o Yuvraj Khandare.) shall be released on anticipatory bail, on she executing P.R. Bond of Rs. 2,000/- [Rs. Two Thousand.] with one solvent surety in the like amount, in connection with M.Case Crime No.95/2015 dated 28<sup>th</sup> March, 2015 registered with Police Station, Osmanabad (City), District - Osmanabad for the offences punishable under Section/s. 420, 467, 468, 471 of the Indian Penal Code.
- (iii) With this Criminal Application is allowed and same is disposed of accordingly.

**(V.M. DESHPANDE, J.)**