

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

CRIMINAL APPLICATION NO. 4472 OF 2015

Sachin Shashikant Patil,
Age: 32 years, Occ: Nil,
R/o. Ratnavali, Bunglow No.13,
Survey No. 258, Balaji Park,
Aundh, Pune,
Taluka and District Pune.

...Applicant

versus

The State of Maharashtra,
Through Songir Police Station,
Taluka and Dist. Dhule.

...Respondent

.....
Mr. Amol S. Sawant, Advocate for applicant
Mrs. B.B. Gunjal, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 8th SEPTEMBER, 2015

ORAL ORDER :

This application is by the applicant-husband for pre-arrest bail in Crime No. 66/2015 registered with Songir Police Station, District Dhule for the offence punishable under Sections 498-A, 420, 406, 323, 504, 506, 120-B of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

2. According to the complainant, she has filed complaint under Section 156(3) of the Code of Criminal Procedure alleging that

her marriage was performed with present applicant based upon the false information about the qualification of the accused. It is also alleged that there was demand of dowry.

3. The perusal of the contents of complaint reflects that all the family members of the applicant-accused are impleaded as party to the complaint and except the applicant, it is informed that rest of them are released on pre-arrest bail.

4. Admittedly, the parties to the present proceedings i.e. the complainant and applicant are parties to the matrimonial proceedings for divorce which are pending before the competent Court.

5. It is required to be noted here that the perusal of the accusation, *prima facie* appears to be in relation to the matrimonial dispute, however, the provisions of Dowry Prohibition Act are sought to be taken recourse to the complaint. The fact that all the family members of the applicant were impleaded as party speaks voluminous about the conduct of the complainant.

6. In view thereof, it will be appropriate, in my opinion, to grant protection to the applicant, as custodial interrogation of the present applicant, in my opinion, will be of hardly any requirement.

Hence, I proceed to pass the following order.

(a) In the event of arrest, the applicant be released on bail, upon furnishing P.R. Bond of Rs. 10,000/- (Rs. Ten thousand) with one surety in the like amount, in connection with Crime No.66/2015 registered with Songir police station, District Dhule, for the offence punishable under Sections 498-A, 420, 406, 323, 504, 506, 120-B of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

(b) The applicant shall attend the concerned police station initially for three days in between 10-00 a.m. to 11-00 a.m. and thereafter as and when called by the Investigating Agency, till filing of the chargesheet.

(c) The application stands allowed in above terms.

[N.W. SAMBRE, J.]