

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

**Criminal Application No.6662 of 2014  
With  
Criminal Application No.6707 of 2014**

Smita Prem Arya  
And Another.

**.. Applicants.**

**Versus**

The State of Maharashtra  
And Another.

**.. Respondents.**

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Shri. Anandsingh S. Bayas, Advocate, for applicants.

Shri. M.M. Nerlikar, Additional Public Prosecutor, for  
respondents.

Shri. Ram S. Shinde (Borolkar), Advocate, to assist the  
APP.

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**With**

**Criminal Application No.6665 of 2014  
With  
Criminal Application No.6706 of 2014**

Anilkumar s/o. Yashwantrao Baste.

**.. Applicant.**

**Versus**

The State of Maharashtra  
And Another.

**.. Respondents.**

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Shri. Sudarshan J. Salunke, Advocate, for applicant.

Shri. M.M. Nerlikar, Additional Public Prosecutor, for respondents.

Shri. Ram S. Shinde (Borolkar), Advocate, to assist the APP.

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**With**

**Criminal Application No.6743 of 2014**

Sandeep Wamanrao Khadse  
And Another.

**.. Applicants.**

**Versus**

The State of Maharashtra  
And Another.

**.. Respondents.**

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Shri. Anandsingh S. Bayas, Advocate, for applicants.

Shri. M.M. Nerlikar, Additional Public Prosecutor, for respondents.

Shri. Ram S. Shinde (Borolkar), Advocate, to assist the APP.

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**With**

**Criminal Application No.6744 of 2014**

Lalita Wamanrao Khadse  
And Another.

**.. Applicants.**

**Versus**

The State of Maharashtra  
And Another.

**.. Respondents.**

Shri. Anandsingh S. Bayas, Advocate, for applicants.

Shri. M.M. Nerlikar, Additional Public Prosecutor, for respondents.

Shri. S.D. Bade, Advocate, to assist the APP.

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**CORAM: T.V. NALAWADE, J.**

**DATE : 12<sup>th</sup> JANUARY 2015**

**ORDER:**

1) Criminal Application Nos.6706 of 2014 and 6707/2014 are filed by original complainant for permission to assist the learned Additional Public Prosecutor. The other applications are filed for relief of anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.

2) Crime is registered on the basis of report given by the wife of applicant - Sandip Khadse from Criminal Application No.6743/2014 for offences punishable under sections 498-A, 506, 109, 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act. Their marriage took place on 26-4-2014. Sandip is working as RTO Inspector. Allegations are made that in the marriage customary gifts were given but the husband and his

relatives were not satisfied. Allegations are made that the husband and his relatives used to say that there were many families who were ready to give huge dowry but the parents of the complainant did not give anything. Allegations are made that there was demand of Rs.50 lakh by the relatives of the husband from the parents of the complainant and on that count they started giving ill-treatment. Allegations are made that on one occasion Sandip disclosed that he has relations with one lady who was in service and even he has performed marriage with her in a temple. The complainant felt that she was deceived. When she opposed to this relationship more ill-treatment was given to her. It is alleged that the father of the husband then sent one SMS for demand of Rs.50 lakh to her parents. Allegations are made that Sandip was asking the complainant for divorce as the demand was not met with.

3) There is some record, statements to the effect that applicant Sandip introduced to them another lady as his wife. Case is that, even the mediators were involved in the deceit.

4) Applications are made by Waman, father of the husband, Lalita, mother of the husband, Akshay, brother of the husband, Smita, married sister of the husband and Prem, husband of Smita. It appears that there are allegations against the father of the husband about one SMS but the relevant record from the mobile company is not collected by the investigating agency. In any case it is the husband, who is educated and who is in service in RTO office, against whom there are allegations that he was already married and he deceived the complainant. In view of these circumstance this Court holds that relief of anticipatory bail can be granted to other applicants but not to Sandip.

5) In the result, the applications of Waman, Lalita, Akshay, Smita and Prem are allowed. Interim relief granted in their favour is hereby confirmed. The application of Sandip is however, rejected. Interim relief granted in his favour is hereby vacated. The applications filed for permission to assist the learned APP are allowed.

Sd/-

**(T.V. NALAWADE, J. )**

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