

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1511 OF 2015**

Ravindra Ganpatrao Shendge

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Vijay Killedar for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 26TH OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 19 of 2015 registered with the Vishrambag Police Station, for the alleged offences punishable under Sections 498A, 307, 323, 504, 506 of the Indian Penal Code.
3. The complainant is the mother-in-law of the applicant. The incident is alleged to have taken place on 16th January, 2015 and the FIR is lodged

on 25th January, 2015. It appears from a perusal of the FIR, that the applicant was demanding the cheque amount which his wife had received in connection with an award passed by the Motor Accident Claims Tribunal, in which she had received compensation for the death of her father. It appears that a still born baby was born on 7th January, 2015 and thereafter, there was some gynecological problems, as a result of which, the applicant's wife was again admitted to the hospital and was discharged on 15th January, 2015. According to the complainant, on 16th January, 2015, the applicant questioned his wife about the cheque received from the Motor Accident Claims Tribunal and started assaulting her by fist and kick blows. It is alleged that the applicant assaulted her on the chest, stomach and on her private parts and threatened to kill her. Pursuant to the said incident, an NC was lodged by the complainant, which is on page No. 278, on 17th January, 2015, stating that the applicant had abused his wife and had assaulted her by giving fist blows and had threatened her.

4. Learned A.P.P submitted that the perusal of the injury certificate which is on page 79 shows that the applicant's wife had received internal injuries and that she was admitted in the Sion Hospital from 21st

January, 2015 and was discharged only on 25th February, 2015. Learned Counsel for the applicant submits that a perusal of the Certificate which is at page 79 shows that there is no evidence of any external physical injury and the same is recorded by the Doctor of the Sion Hospital. He submitted that the investigation is complete and charge-sheet is filed and that the accused is in custody since his arrest from 2nd February, 2015.

5. Considering the nature of allegations and that fact that the investigation is complete and charge-sheet is filed, that the applicant has been in custody since 2nd February, 2015, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m. till the conclusion of the trial;

- (iii) The applicant shall not enter the jurisdiction of Khandeshwar Police Station, where his wife resides, till the conclusion of the trial;
- (iv) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (v) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (vi) The applicant to cooperate with the conduct of the trial;
- (vii) An undertaking with respect to the aforesaid clauses (ii) to (vi), shall be filed by the applicant in the Trial Court within two weeks after his release;

(viii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.