

nsc.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 332 OF 2015**

Sunil Ramniklal Hamirani

...Applicant

Versus

The State (at the instance of
Kandivali Police Station)

...Respondent

Mr. Nikhil Hemraj Seth for the Applicant

Ms. Rutuja Ambekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 18TH MARCH, 2015

P.C. :

1. The applicant who is the husband of the original complainant, seeks pre-arrest bail in connection with C.R. No. 278 of 2014 registered with the Kandivali Police Station for the alleged offences punishable under Sections 498-A, 506, 323 of the Indian Penal Code.

2. The complaint has been lodged by the complainant-wife as against the applicant, her in-laws and a neighbour. The applicant was married to the complainant on 10th February, 2008, after which, the complainant started residing at the matrimonial house. From the said

wedlock, the parties have a baby boy, Ronak. It is alleged that the applicant along with the co-accused were harassing and ill-treating the complainant, pursuant to which, she lodged a complaint in August, 2014.

3. Learned Counsel for the applicant states that prior to the registration of the aforesaid C.R., on 21st February 2014, the applicant had filed proceedings for divorce, at the Bandra Family Court. He submits that as a counter blast to the said case, the present C.R. has been registered. He submits that all other co-accused have been released on anticipatory bail by the Sessions Court.

4. Perused the complaint and the nature of allegations. Considering the nature of allegations, the custody of the applicant is not required and hence the applicant deserves to be granted pre-arrest bail on the following terms and conditions :

ORDER

- i) In the event of the arrest, the Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount ;

- ii) The Applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case ;
 - iii) The Applicant shall co-operate with the Investigating Agency.
- 5. The Application is allowed and disposed of in above terms.
 - 6. The aforesaid observations 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.
 - 7. Parties to act upon an authenticated copy of this order.

(REVATI MOHITE DERE, J.)