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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.921 OF 2015

Mahesh Anant Dalvi	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.V.V.Purwant, for the Applicant.

Mr.Y.M.Nakhwa, APP for the Respondent – State.

Ms.Vanita Mahesh Dalvi, the Complainant is present.

CORAM : REVATI MOHITE DERE, J.

DATED : 6th MAY, 2015.

P.C.

1. Heard the learned counsel for the Applicant and the learned APP for the State.

2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-378 of 2014 registered with the Kapurbawadi Police Station, Thane, for the alleged offences punishable under Sections 284, 307, 309, 504 and 509 of the Indian Penal Code.

3. The incident in question has taken place on 24th October, 2014. The complainant is the wife of the applicant. She has alleged that the applicant would abuse her under the influence of alcohol and hence chapter proceedings were registered as against him. It is alleged that on 24th October, 2014, at about 12.30 a.m., in the night, the applicant under the influence of alcohol started quarreling and slapped their daughter – Aishwarya. It is alleged that when the complainant tried to stop the applicant, the applicant threatened to kill all of them. It is alleged that by saying so, the applicant allegedly removed the gas pipe of the Domestic Gas Stove and tried to light the matchstick. It is alleged that on hearing the commotion, the mother-in-law, brother-in-law and co-sister rushed to the spot to help the complainant. It is alleged that they snatched the rubber pipe of the gas stove and again connected it to the stove. It is alleged that thereafter on the next day, the applicant went to the house of sister-in-law where the applicant was residing with her children and started abusing her and threatened to kill her, if she did not come out. He is also alleged to have attempted to commit suicide, by hanging himself.

4. Learned Counsel for the applicant states that the complainant has no objection if the applicant is enlarged on bail. He states that the

applicant and the complainant have four children.

5. Learned APP has verified from the complainant, who is present in Court, that she has no objection if the applicant is enlarged on bail. The complainant states that the applicant will be residing with her. Even otherwise investigation is complete and charge-sheet is filed in the said case.

6. Considering the peculiar facts of the case, the Applicant is enlarged on bail on the following terms and conditions as under ;

ORDER

- i) 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 attend the Kapurbawadi Police Station, Thane, initially on every Sunday, between 10.00 a.m. to 11.00 a.m., for a period of two months and thereafter once a fortnight on 1st and 3rd Sunday of every month between 10.00 a.m. to 11.00 a.m., till the conclusion of the trial.

7. The Application is allowed and disposed of in above terms.

8. Needless to observe, that the learned Judge shall decide the case on its own merits uninfluenced by the observations made in this order.
9. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)