

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.848 OF 2015

Atul Chandrakant Ranaware .Applicant

v/s.

The State of Maharashtra & anr. .Respondents

Mr.S.V.Kotwal i/b. Mr.Avinash Kamkhedkar,
Advocate, for the Applicant
Mrs.Rutuja Ambekear, APP, for the Respondent –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 07.09.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks pre-arrest bail in connection with C.R.No.
65 of 2015 registered with the Indapur Police
Station, Pune(Rural), for the alleged offences
punishable under Sections 313, 323, 498A, 504,
506 r/w.34 of the Indian Penal Code, 1870.

3. The complainant is the wife of the present applicant. She has lodged the aforesaid complaint as against the applicant, who is her husband, her in-laws, sister-in-law and brother-in-law. It is alleged in the said complaint that after marriage, all the accused would assault her with fist and kick blows and abuse her verbally. It is alleged that all the co-accused were also demanding a sum of Rs.1,00,000/- as dowry from her parents and some articles. According to the complainant, when she was two months pregnant, after admitting her to the Kamla Nehru Hospital on 21.11.2014, all the accused including the applicant left her alone in the hospital, and hence, her parents came to the hospital and looked after her. She has alleged that when she was admitted in the hospital, all the accused gave her tablets which were meant for abortion, pursuant to which she was required to abort the 17 weeks foetus.

4. Learned counsel for the applicant states that the aforesaid complaint/FIR has been lodged, pursuant to an order passed by the Magistrate under Section 156(3) of the Code of Criminal Procedure. He submitted that the allegations against all the accused are general in nature, with respect to assault, abuses and administering of tablets which ultimately led to her abortion. He states that all the co-accused i.e. the applicant's parents, sister-in-law and brother-in-law have been granted pre-arrest bail.

5. Learned APP submitted that the applicant was responsible for the abortion of the complainant.

6. Perused the FIR. The allegations are against all the accused including the applicant with respect to assault, abuses or having

administered pills leading to the complainant's abortion. Also all other co-accused against whom similar allegations are made have been granted pre-arrest bail. Perused the Medical Certificate, Medical papers, including the consent form for abortion. It appears that the consent form has been signed by both, the present applicant as well as the complainant. All the documents are in the custody of the police. Hence, custodial interrogation of the applicant is not required. The applicant is granted pre-arrest bail on the following terms and conditions:

ORDER

- (i) In the event of arrest, the applicant be enlarged on bail on his furnishing P.R.Bond in the sum of Rs.20,000/- with one or two solvent sureties in the like amount;
- (ii) The applicant shall attend the Indapur Police Station, Pune(Rural) as and when called

for by the investigating officer till the filing of the charge sheet;

(iii) The applicant shall not tamper or attempt to contact the complainant or any witness concerned with the said case.

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

8. It is made clear, that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

Certified to be true and correct copy
of the original signed Judgment/order.