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

ANTICIPATORY BAIL APPLICATION NO.894 OF 2015

Vijay Shyamsunder Agarwal	... Applicant
Vs	
The State of Maharashtra	... Respondent

Mr.Dilip Rai i/b Ms.Aruna Singh, for the Applicant.

Mr.S.H.Yadav, APP for the Respondent – State.

**CORAM : REVATI MOHITE DERE, J.
DATE : 24th AUGUST, 2015**

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the Respondent - State.
2. By this Application, the Applicant seeks pre-arrest bail, in connection with C.R. No.I-227 of 2015, registered with the Naupada Police Station, Thane, for the alleged offences punishable under Sections 354, 504, 506 of the Indian Penal Code and under Section 3(1)(X) of the Prevention of Atrocities (Schedule Caste and Schedule Tribes) Act, 1989.

3. With respect to the incident of 30th April, 2015, both, the present applicant and the complainant have lodged an FIR. The complaint lodged by the applicant was registered vide C.R.No.I-226 of 2015 wherein he has alleged offences punishable under Sections 341, 385, 323, 506 r/w 34 of the Indian Penal Code as against the complainant in C.R.No.I-227 of 2015 and two others.

4. According to the learned Counsel for the Applicant the complainant along with two others came to the Applicants office and demanded money from him, resulting in a verbal altercation between the parties. He submitted that one lady who had accompanied the complainant slapped the applicant and threatened to lodge a case under Section 354 of the Indian Penal Code. Learned Counsel for the applicant states that both the parties have amicably settled the dispute. He has produced on record a 'Samjota Kararnama' which is taken on record and marked 'X' for identification. He submitted that pursuant to the said 'Samjota Kararnama' a cheque was issued by the applicant to the complainant for a sum of Rs.1 lac.

5. Be that as it may, prima-facie, it appears that some incident took place and that both the parties have made allegations against each other.

6. Considering the nature of the allegations made by both the parties and the cross cases filed by both i.e. the applicant and the complainant, the applicant deserves to be granted anticipatory bail on the following terms and conditions

ORDER

- i) In the event of 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 attend Naupada Police Station, Thane as and when called for by the Investigating Officer ;
- iii) The Applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case.

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

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

9. Parties to act upon the authenticated copy of this order.

REVATI MOHITE DERE, J.