

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1105 OF 2015

1. Divesh Suresh Kataria .Applicants
2. Anju Suresh Kataria

v/s.

The State of Maharashtra & .Respondents
anr.

Mr.A.A.Patankar, Advocate, for the Applicants
Mr.S.H.Yadav, APP, for the Respondent No.1 –
State
Mr.R.S.Gamre, Advocate, for the Respondent No.2

CORAM : REVATI MOHITE DERE, J.

DATE : 21.09.2015

P.C.

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

2. By this application, the applicants
seek pre-arrest bail in connection with C.R.No.
176 of 2015 registered with the Ulhasnagar
Police Station, Thane, for the alleged offences
punishable under Sections 498A, 406, 323, 504,

506, 313 r/w.34 of the Indian Penal Code, 1870.

3. The applicant No.1 is the husband and the applicant No.2 is the mother-in-law of the complainant. Vide order dated 03.08.2015, the applicants were granted ad-interim relief. Learned counsel for the applicants and the respondent No.2 – original complainant state that the parties have amicably settled the matter. Learned counsel for the respondent No.2 – original complainant has tendered an Affidavit stating therein, that she has no objection, if the applicants are granted anticipatory bail as the parties have decided to amicably settle the matter.

4. Considering the peculiar facts of the case and the Affidavit filed by the respondent No.2 – original complainant which is taken on record, the applicants are granted pre-arrest

bail on the following terms & conditions:

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount.

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

6. 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.

All concerned 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.