

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1200 OF 2015

Dattatrey Maruti Kamble	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Ganesh Bhujbal, Advocate for the applicant.
Mr. S.S. Pednekar, Advocate for the respondent.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **AUGUST 17, 2015**

P.C.:

Leave to amend to correct the surname of applicant.

2. This Application is moved for pre-arrest bail, as the applicant/accused is apprehending arrest for the offences punishable under sections 498A, 307, 323, 406, 504, 506 r/w. 34 of the Indian Penal code, which is registered on 9th July, 2015 at the instance of Dr. Vrishali Dattatrey Kamble in C.R. No. 206 of 2014 with Bhosari Police Station, Pune. The applicant/accused and complainant both are doctors. The complainant/wife is B.A.M.S. and applicant/husband is M.B.B.S.

3. It is the case of the complainant/wife that she was subjected to various types of cruelty by the applicant/husband and his family members. There was demand of money from the husband. He used her money and ATM Card without her consent from time to time. He ridiculed her as she

was holding the degree of B.A.M.S. He compelled her father and brother to deposit an amount of Rs. 1,00,000/- each in the State Bank of India Branch, as he wanted to buy a new flat in the year 2013. As per the case of the prosecution, the applicant used to assault the complainant. He tried to throttle her neck twice. He took away her ornaments. On 26th February, 2015 after completing her duty when the complainant was going to her brother's home at Pimple Gurav on her two wheeler, applicant/accused came in his car and pushed her. Somehow she could control the vehicle and when she was proceeding, he dashed her two wheeler from behind and therefore, she fell down. Her hand was fractured and both the knees were injured. There are many other injuries on her body. She was admitted to the hospital. Her husband threatened her that she should not disclose how the incident has occurred. He also kept their son at some unknown place for two days. Thereafter she gave complaint.

3. The learned counsel for the applicant/accused submitted that both the husband and wife are doctors working in Government hospital and so they can settle the matter on their own. He submitted that the complainant has falsely implicated the applicant/accused. There was no such incident of giving dash from back side by the applicant/accused has taken place at any time. These allegations are false.

4. Learned APP opposed the Application. She relied on the complaint

of the wife.

5. Perused the complaint and the injury certificate. From the reading of FIR and injury certificate *prima facie* it does not appear that the case is false. Considering the allegations made therein and the facts of the case, I am not inclined to grant pre-arrest bail. Hence, the Application for anticipatory bail is rejected.

(MRS.MRIDULA BHATKAR, J.)