

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1250 OF 2015**

Rupesh Mahendra Pratapsingh & Anr.	...Applicants
Versus	
State of Maharashtra	...Respondent

Mr. Shailesh I. Kantharia for the Applicants

Ms. Rutuja Ambekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 4th SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 235 of 2015 registered with the Kurar Police Station, Mumbai, for the alleged offences punishable under Sections 354, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. The present complaint has been filed by Bijal Singh, cousin of the present applicants. The complainant and the applicants are residing in the same house. It appears that there is a property dispute with regard to

the house between the parties. It is alleged that on 9th August, 2015 in the night at about 11:00 p.m, the present applicants started quarreling with the complainant and her mother on account of their share in the property. It is alleged that the present applicants abused the complainant and her mother and the applicant No. 1 pushed the complainant. It is alleged that when she resisted, the applicants touched her inappropriately and thereby outraged her modesty.

4. Learned Counsel for the applicants states that the applicants are residing with their respective spouses and children in the said premises. He submits that only on account of property dispute between the complainant and the applicants that the present complaint has been lodged.

5. Learned A.P.P opposed the bail application. She submits that the applicants have been harassing and threatening the complainant after registration of the aforesaid C.R. She submitted that pursuant to the said harassment and threat by the applicants, an NC has also been lodged by the complainant with the said police station. She submits that as a result of the threats and the behaviour of the applicants, the complainant is unable to

leave her mother alone in the house. The complainant is present in person and reiterates the aforesaid.

6. Perused the papers. The parties are related and there is an ongoing dispute between them with regard to the house they are living in. Considering the nature of allegations and the material on record, custodial interrogation of the applicants is not necessary. The applicants are granted anticipatory bail on the following terms and 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.15,000/- each with one or two sureties in the like amount ;

(ii) The applicants shall attend the Kurar Police Station, Mumbai, on every Saturday from 10:00 a.m to 11:00 a.m, till the filing of the charge-sheet and thereafter on the first Saturday of every month till the disposal of the case;

(iii) The applicants shall not threaten, intimidate or harass the complainant or any person concerned with the case and shall cooperate with the investigating agency.

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.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.