

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

ANTICIPATORY BAIL APPLICATION NO.1382 OF 2015

Mrs. Vijaya Dattu Kharat

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

.....

Mr. Chaitanya Sakhare with Mr. Balasaheb Ligade for the
Applicant.

Ms Veera Shinde, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 23rd NOVEMBER, 2015.

P. C. :

This is an application for pre-arrest bail filed by the Applicant herein in apprehension of her arrest in Crime No.199 of 2015 registered with Sahakarnagar police station, Pune, for the offences punishable under sections 498A, 406, 506 (1) r/w. section 34 of the IPC.

2. Heard the learned counsel for the Applicant and the learned APP for the Respondent-State.

3. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

4. The Applicant herein is the mother-in-law of the complainant Ujwala Kharat. Said Ujwala was married to son of the Applicant on 30.4.2015. The matrimonial dispute between them has led to filing of FIR dated 9th July, 2015. Said Ujwala had alleged that immediately after her marriage her husband demanded Rs.5 lakhs for purchase of swift care. She had also made allegations of subjecting her to cruelty and further stated that her husband was having extramarital relations with another girl. The complainant had further stated that since she being a working lady had handed over her mangalsutra, ear rings, ring, and silver anklets to the Applicant herein. She has further stated that the Applicant herein had refused to return the said ornaments. Based on the aforesaid allegations the FIR came to be registered.

5. The records reveal that the husband of the Applicant has already been granted bail on 1.10.2015. That the Applicant herein is a woman and the allegations levelled against her are not so heinous or serious. Moreover the Applicant cannot be refused bail on the allegations that the complainant handed over the ornaments to the Applicant and that the Applicant had refused to return the same. Considering the nature of the allegations levelled against the Applicant

and in view of the discussion supra, this is not a case which justify the custodial interrogation. The Applicant is the permanent resident of Balajinagar, Pune and there is no possibility of the Applicant absconding or fleeing from the course of justice.

6. Under the circumstances, the anticipatory bail application is allowed on the following terms and conditions :

(i) In the event of arrest of the Applicant in Crime No.199 of 2015 registered with Sahakarnagar police station, Pune, the Applicant be released on bail on furnishing bond of Rs.20,000/- (Rupees Twenty Thousand Only) with one or two sureties in the like amount to the satisfaction of the Additional Sessions Judge, Pune.

(ii) The Applicant to report to the Investigating Officer for four days between 10.00 a.m. to 1.00 p.m. and further as and when required by the Investigating Officer for the purpose of the investigation and interrogation.

(ANUJA PRABHUDESSAI, J.)