

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1788 OF 2015

Mr. Madan Pandurang Purane ..Applicant

v/s.

The State of Maharashtra. ..Respondent

Mr. K.S.Patil i/b. Prakash Hagare for the Applicant
Mr.V.M. Nakhwa, APP for the Respondent-State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : NOVEMBER 24, 2015.**

P.C.

1. This is an application for antitipcatory bail filed by the aforesaid applicant apprehending his arrest in Crime No.333 of 2015 registered with Yawat Police Station, Pune for the offence punishable under Section 354, 323, 504, 506 of the Indian Penal Code.

2. Heard the learned Counsel Shri Patil for the applicant. He submitted that the relations between the complainant and the

applicant are strained. He submitted that the applicant had earlier filed complaint dated 3.1.2014 against the complainant and that the case is pending before the Magistrate and that the evidence of the applicant was recorded in the said case on 3.1.2015. The present complaint has been filed when the matter was scheduled for recording the evidence of the wife of the applicant. He has further submitted that since then the family members of the complainant in the present case have filed several N.C. Complaints against the applicant. A similar complaint with the allegations of outraging the modesty was also filed by the sister of the complainant on 6.3.2014. He has stated that the applicant is sought to be implicated in false complaints in view of the filing of the earlier complaint by the applicant herein.

3. The Learned APP submits that the FIR prima facie discloses commission of alleged offence. He has further submitted that several complaints have been lodged against the applicant, and as the applicant has criminal antecedents, he is not entitled for anticipatory bail.

4. I have perused the records and considered the submissions advanced by the learned Counsel for the applicant and the learned APP for the State. The records prima facie reveal that the complainant Gauri Navale had lodged FIR against the applicant herein stating that on 2.11.2015 at about 7.00 a.m. the applicant had entered her house and had outraged her modesty. It is not in dispute that the relations between the applicant and the family of the complainant are strained. Undisputedly the applicant herein had lodged complaint against the complainant in the present case on 3.1.2014, pursuant to which the crime was registered against the husband of the complainant and he is facing trial before the learned Magistrate at Daund. It is also not in dispute that since the date of filing of the said complaint, several complaints have have been filed against the applicant by the family members of the present complainant in the present case. Considering this background and also considering the nature of the allegations levelled against the applicant, in my considered view, this is not a fit case which requires custodial interrogation. The applicant is a resident of Daund Taluka

and there are no chances of the applicant absconding. In the circumstances, the application for anticipatory bail is allowed on the following terms and conditions:-

- i) In the event of arrest of the applicant in Crime No.333 of 2015 registered with Daund police station, the applicant be released on bail on furnishing bail bond of Rs.15000/- (Rupees Fifteen Thousand Only) with one or two solvent surety/ies in the like amount to the satisfaction of the learned JMFC, Daund, Pune.
- ii) The applicant shall report to the Investigating Officer for four days between 10 a.m. to 1.p.m. and further as when required by the Investigating Officer for the purpose of investigation and interrogation.
- iii) The applicant shall not, in any manner, interfere with the complainant or her family members.

(ANUJA PRABHUDESSAI, J.)