

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1566 OF 2014

Smt.Chetali Chetan Gharat

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Rishi Bhuta i/b Ms.Neetu R. Mishra for the Applicant

Mr.J.H. Ramugade, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **APRIL 27, 2015**

P.C.:

1. The application is moved for pre-arrest as the applicant/accused is facing charges under section 363, 364 (9), 365, 34 of the Indian Penal Code, which is registered at C.R. No.95 of 2014 at Alibag police station. There was some transaction of the land between the complainant and the family of the accused, which led to dispute as some amount was not paid or more amount was demanded. Hence, the parties lodged counter cases against each other. In the present case, it is pointed out by the learned Counsel for the applicants/accused that the complainant Dipali Yogesh Gavand has made affidavit on 17.12.2014 that she has no grievance against the accused as the matters between them are settled out of Court.

2. The learned Prosecutor submits that the Investigating Officer is not present and he wants time to verify the truthfulness of this affidavit.

3. Request for more time by the learned Prosecutor is rejected as on a number of occasions, time was sought and granted. The affidavit is of 2014. Moreover, the applicant/accused is a woman and on a perusal of the complaint, it appears that her role is minimal. Hence, the Anticipatory Bail Application is allowed on the following terms:

- i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/-, with one or two sureties in the like amount;
- ii) The applicant shall not tamper with the evidence;
- iii) The applicant shall not indulge into any kind of offence while on bail;
- iv) The applicant shall cooperate with the Investigating Officer and attend the concerned police station as and when called.

(MRS.MRIDULA BHATKAR, J.)