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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 6072 OF 2016

1. Sushil s/o Shamrao Solanke,
Age: 29 years, Occ: Business,
R/o. Maasaheb Nagar,
Parali-Ambajogai Road,
Parali-Vaijinath,
Tal. Parali (V), Dist. Beed.
 2. Satish s/o Shamrao Solanke,
Age: 35 years, Occ: Business,
R/o. As above.
 3. Ram s/o Shamrao Solanke,
Age: 31 years, Occ: Business,
R/o. As above.
 4. Nilabai w/o Shamrao Solanke,
Age: 65 years, Occ: Nil,
R/o. As above.
 5. Rukmin w/o Satish Solanke,
Age: 27 years, Occ: Household,
R/o. As above.
 6. Gaulan w/o Ram Solanke,
Age: 35 years, Occ: Business,
R/o. As above.
- ..APPLICANTS

VERSUS

The State of Maharashtra
Through Police Inspector,
Police Station, Parali City,
Tal. Parali (Vaijinath),
Dist. Beed.

..RESPONDENT

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Mr S.S. Thombre, Advocate for applicants;
Mr V.M. Kagne, A.P.P. for respondent/State

CORAM : A.S. CHANDURKAR, J.

DATE : 15th NOVEMBER, 2016

ORAL ORDER :

Heard.

2. The applicants apprehend their arrest for their involvement in Crime No. 359 of 2016 registered at Parali City Police Station, Taluka Parali (Vaijinath), District Beed for offence punishable under Sections 498-A, 307, 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. On behalf of the applicants, it is submitted that applicant No. 1 was married with one Sonali on 25th April, 2008. Applicant No.1 was residing at Parali Vaijinath along with other family members. It is submitted that complainant Sonali, wife of applicant No.1, lodged first information report on 8th October, 2016. In the F.I.R., there is reference to the incident dated

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15th May, 2015, in which the complainant suffered 35% burns. It is submitted that complainant, after obtaining medical treatment, is residing in her matrimonial home since 2016. The report was made to Women's Grievance Cell, Parali Vaijinath and as the matter could not be settled, present report came to be lodged. It is submitted that the conduct of the complainant indicates the intention to unnecessarily harass the applicants. It is further submitted that the medical certificate issued by the concerned hospital reporting the said incident mentions accidental burn case.

4. The application is opposed by learned Additional Public Prosecutor on the ground that the report is specific and it named the present applicants. It is submitted that considering the role attributed to the applicants, they are not entitled for relief.

5. Perused the police papers including police information letter dated 17th May, 2015. Same

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refers to the accidental burns suffered by the complainant on 15th May, 2015. No report was lodged for more than one year. The complainant, thereafter, continues to reside with the applicant and as per her say, as the matter could not be amicably worked out, present report came to be lodged.

6. Considering the aforesaid facts, a case for grant of anticipatory bail has been made out.

7. In view of aforesaid, the following order is passed :

: O R D E R :

(i) The applicants, in the event of their arrest, in Crime No. 359 of 2016 registered at Parali City Police Station, District Beed, for offence punishable under Sections 498-A, 307, 323, 504, 506 read with Section 34 of the Indian Penal Code, shall be released on bail, on executing P.R.

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bond of Rs.25,000/- by each of them, with one solvent surety, in the like amount.

(ii) The applicants shall attend the concerned Police Station on 21st November, 2016 between 11-00 a.m. and 2-00 p.m. and thereafter as per directions of the Investigating Officer.

(iii) The applicants shall not enter the jurisdiction of Parali Vaijinath Taluka, till filing of the charge sheet.

(iv) The applicants shall furnish address of the place where they would be residing to the Investigating Officer.

(v) The applicants shall not take any steps to tamper with the material collected by the prosecution.

It is clarified that the observations made in this order are only for the purpose of

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considering the prayer for grant of anticipatory bail in the present application.

8. Criminal Application is allowed on above terms.

(A.S. CHANDURKAR, J.)

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