

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 465 OF 2016

Mr. Sunil Ramshiromani Yadav
and Ors.

.....Applicants

V/s.

The State of Maharashtra
At the instance of
Dindoshi Police Station

.....Respondent

* * * * *

Mr. Rishi Bhuta a/w. Ms. Gunjan Thakkar, Advocate for the
applicants.

Mr. Rutuja Ambekar, APP for the respondent, State.

Mr. Shailendra Mishra a/w. Mr. Sharad Rai i/by. ARM Legal,
Advocate for the Intervenor.

CORAM :- N.W. SAMBRE, J.

DATED :- 21st NOVEMBER, 2016.

P.C. :-

1). The applicants are seeking pre-arrest bail in Crime No. 379 of 2015 for offences punishable under Sections 498(a), 406, 323, 506 and 504 Indian Penal Code for an alleged incident between January, 2011 to 2014.

2). It is the case of the complainant that, she was married to applicant no.1 on December, 21, 2010 and applicants no.2 and 3 are her mother-in-law and father-in-law, whereas, applicants no.4 and 5 are her sisters-in-law.

3). It is claimed that the complainant was subjected to cruelty on the issue of demand of dowry resulting into registration of the crime in question.

4). The bail is opposed by the learned APP who is assisted by the learned Counsel for the applicant on the ground that Streedhan is not yet recovered and the same is sought to be recovered from the accused persons.

5). It is not in dispute that, applicant no.1, her husband has already initiated proceedings for divorce against the complainant. So far as the issue of Streedhan is concerned, it is always open for the complainant to take out appropriate proceedings before the Competent Court for return of the same and the right of the complainant for Streedhan is reserved by this Court and not gone into at present.

6). The complainant has made attributions against all the family members of applicant no.1 who is a Homoeopathic Doctor. There are no criminal antecedents. He is very much available for investigation and prosecution.

7). Hence, the application is allowed. The applicants be released on furnishing P.R. Bond of Rs.50,000/- (Rs. Fifty

Thousand only) with one surety in the like amount.

8). The applicants to attend police station as and when called.

9) . The applicants not to tamper with the evidence and/or influence the witnesses in any manner whatsoever.

10). The right of the complainant to claim appropriate reliefs under the various provisions available under different statutes is not looked into right now and the complainant is at liberty to take recourse to appropriate remedies as available in law.

(N.W. SAMBRE, J)