

vks

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.883 OF 2016.

Ketan Shridhar Khedekar	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. A.S. Khandeparkar a/w Mr. Lokesh Zade I/by
Khandeparkar & Associates, for the Applicant.
Mr. Arfan Sait, APP for the Respondent State.
Ms. Bhagyashree Bhosale, h/f Namrata Rane, for the intervener.
Mr. P.V. Dhende, API Ratnagiri Police Station.

CORAM : A. M. BADAR, J.

DATE : 17th JUNE, 2016.

P.C. :

1. The applicant/accused, in Crime No.163 of 2016, for the offence punishable under Sections 370, 498A, 511 read with 34 of the Indian Penal Code, registered with Ratnagiri City Police Station, Ratnagiri, by this application is praying for pre-arrest bail.
2. Heard learned counsel for the applicant as well as learned APP.
3. I also heard learned counsel appearing for informant wife Dipti Khedekar.
4. Perused the F.I.R. as well as papers of investigation. The

informant wife reported the police on 5.4.2016 that the applicant husband subjects to her cruelty. She further reported that the applicant insisted her to indulge in prostitution in order to earn money.

5. Perusal of avernments in the F.I.R. goes to show that from June, 2015 to March, 2016 the applicant was insisting the informant to join his company. According to informant, she did not join the company of the applicant as he was telephonically asking her to earn money by submitting her chastity to others.

6. Considering the nature of avernments, I am of the opinion that the custodial interrogation of the applicant/accused is not warranted. The applicant/accused has contended that he is indebted and his financial condition is stringent because of loan. The applicant has filed an undertaking before this Court and the same is accepted by this Court. The applicant/accused has shown his readiness to obey all the obligations under the Memorandum of Understanding executed between him and his wife on 15.6.2015. The statements in the undertaking goes to show that after selling house property, the applicant will settle outstanding loan and the balance amount will be equally divided between the applicant and the first informant wife.

7. In this view of the matter, liberty of the applicant has to be protected and therefore the following order.

Order

- i) Application is allowed.
- ii) In the event of arrest of the applicant, in above crime, he be released on bail on his executing P.R. bond in the sum of Rs.10,000/- and on furnishing surety bond in the like amount.
- lii) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.
- iv) The applicant shall attend the concerned police station on 26.06.2016 and 03.07.2016, in between 11.00 a.m. to 1.00 p.m., and shall co-operate the Investigating officer.
- v) The applicant/accused should not contact the informant in any manner and he should not commit similar offence.

[A. M. BADAR, J.]