

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.881 OF 2015

Gaurav Dattaram Pawar ... Applicant

vs.

The State of Maharashtra ... Respondent

Mr. S.G. Pawar, for the Applicant.

Mrs. P.P. Shinde, APP for Respondent – State.

Mr. Datta Mane i/b. Mr. A.R. Shaikh for Respondent No. 2.

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

DATE: **15th MARCH, 2016**

P.C.:

. The application is moved for pre arrest bail as the applicant/accused is facing charges for the offences punishable under Sections 498(A), 406, 506 read with 34 of the Indian Penal Code in C.R. No. 212 of 2015 registered with Dindoshi police station, Mumbai. The offence is registered at the instance of one Sonal Pawar on 20th April, 2015.

2. It is the case of the prosecution that the complainant got married with the applicant/accused. It was a love marriage. They got married by a registered marriage in the Court of Bandra on 28th November, 2011 and again by Vaidik rites on 17th January, 2012.

Thereafter, she started residing with the husband. It was a joint family. It is the case of the prosecutrix that her gold ornaments of 7.5 tolas were taken by her mother in law and father in law and though she has demanded they were not returning the same. It is her case that there are disputes in respect of number of issues. Her in laws and brother in law tortured her. Her husband also did not take her side and demanded money from her to purchase the flat. The complainant though was ready to stay with the applicant, he demanded divorce, hence she gave complaint.

3. The learned counsel for the applicant submits that the mother in law of the complainant has also lodged complaint with the Commissioner of Police, Dindoshi police station on 29th October, 2014 alleging that the complainant has sold her ornaments without asking them and left the house herself with all the ornaments in 2012. He submitted that all the allegations against the applicant are false.

4. The learned prosecutor as well as the learned counsel for the complainant while opposing the application submitted that the allegations made against the applicant/accused are serious. The gold

ornaments of the complainant are taken by applicant and his mother.

5. Perused the first information report and the complaint given by the mother in law of the complainant disclosing that she was wearing many ornaments. The charges of taking away of gold ornaments made by both the parties against each other, at this stage appears word against word. Considering the charges levelled against the applicant, I am inclined to grant pre arrest bail to the applicant/accused subject to certain conditions.

(a) In the event of arrest, the applicant/accused be enlarged on bail upon furnishing P. R. Bond in the sum of Rs. 20,000/- with one or two solvent sureties in the like amount;

(b) The applicant shall not tamper with the evidence.

(c) The applicant shall not harass the complainant or her family members in any manner.

(d) The applicant shall cooperate with the Investigating Officer and shall attend the concerned police station once in a week on every Saturday between 6.00 pm to 7.00 pm for one month or till filing of the charge-sheet whichever is earlier.

(MRS.MRIDULA BHATKAR, J.)