

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1221 OF 2015

Sujit Ganpat Chavan & anr. ... Applicants

Vs.

The State of Maharashtra & anr. ... Respondents

None for the Applicants

Mr.Sujit Chavan, Applicant present in person

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

ms.Shraddha Chavan, Respondent/Wife in person - present

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

DATE: **MAY 2, 2016**

P.C.:

1. The applicant/accused – husband and the complainant/wife appearing are present in person. The learned Prosecutor as also the Investigating Officer are present. This is a case under section 498A of the Indian Penal Code. The applicant/husband has brought a demand draft of Rs.8,56,795/- and a Fixed Deposit Receipt of Rs.1,50,000/-, which stands in the name of the complainant / wife. The applicant/husband submitted that at the time of passing the order dated 25.2.2015, his advocate Mr.Kocharekar, who was representing him at that time, had accepted the claim of total valuation of ornaments which is not agreeable to the applicant and so, he has discharged the advocate Mr.Kocharekar and he has engaged another Counsel.

2. Learned Prosecutor has opposed the application against the applicant-accused No.1 as also the applicant-accused No.2. She pointed out that applicant-accused No.2 is facing charge of outraging modesty of the complainant. She has, therefore, submitted that pre-arrest bail be denied to him. She submitted that as per the order dated 25.2.2016, which stands as on today, the amount of Rs.1,37,500/- is required to be handed over as total value of the article. It appears that today, the applicant-accused No.1 has returned by way of demand draft an amount of Rs.8,56,795/-, which she had paid him time to time.

3. Considering the developments which have taken place in the matter and the applicants-accused are facing charges under section 498A and applicant-accused No.2 is facing charge under section 354 and as the complaint is registered on 30.8.2014, I am inclined to confirm the pre-arrest bail order dated 20.8.2015 with following directions:

- i) The applicants-accused shall attend the concerned police station on 7th May, 2016 and 21st May, 2016 from 10am to 12 noon;
- ii) The applicants-accused shall not pressurise the complainant or her family members in any manner.

4. Anticipatory Bail Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)