

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1624 OF 2016

Dr. Nimesh Parmar

... Applicant

vs.

The State of Maharashtra and anr.

... Respondents

Mr. Rajendra Rathod, for the applicant.

Smt. Rutuja Ambekar, A.P.P. for the State/respondent no.1.

Ms. Surabhi Singh, for respondent no.2.

Coram : N. W. SAMBRE, J.

Date : 23rd November, 2016

P.C. :

1. The applicant is seeking pre-arrest bail in Crime No. 249 of 2016 for the offence punishable under Sections 498(A), 406, 420, 384, 506(II) r/w 34 of the Indian Penal Code.

2. Smt. Ambekar, the learned A.P.P., who is assisted by Ms. Singh, the learned counsel for the complainant/respondent no.2, strenuously opposed the application on the ground that recovery of the amount spent in the marriage is to be effected and the medicines administered by the applicant to the complainant, which has resulted into adverse effect over health of the complainant is to be recovered.

3. It is revealed from the contents of F.I.R. that the present applicant had tried to disturb the academic life of the complainant as she was pursuing final group of the examination of the C.A.

4. Apart from above, perusal of the contents of F.I.R. and the other material, in my opinion, there is hardly any reason which prompts for custodial interrogation of the applicant.

5. After recovery of the articles and other material from the applicant, there is proper remedy available to the complainant under the other statute.

6. The applicant is a Homeopathy Doctor and very much available to the investigation.

7. In view thereof, in the event of arrest the applicant be released on furnishing P. R. Bond of Rs.50,000/- with one or two sureties in the like amount on the following conditions :

- (i) The applicant shall furnish his mobile phone numbers and permanent place of abode to the Investigating Officer.
- (ii) He shall attend the Investigating Officer as and when called for.
- (iii) He shall not tamper the evidence and/or influence the witnesses.

8. Application stands allowed in the above terms.

[N. W. SAMBRE, J.]