

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1738 OF 2016

Dashawatar Gopalkrishna BadeApplicant
V/s.
The State of MaharashtraRespondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1739 OF 2016

Arjun Dinkar GhatteApplicant
V/s.
The State of MaharashtraRespondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1740 OF 2016

Priya Aniket Sagavkar @ Priya Rukmango BawneApplicant
V/s.
The State of MaharashtraRespondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1769 OF 2016

Dipti Naveen Sharma Alias DiptiApplicant
Janardan Bawne
V/s.
The State of MaharashtraRespondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1770 OF 2016

Janardan Rajaram BawneApplicant
V/s.
The State of MaharashtraRespondent

Mr. Shrikrishna Ganbawale Advocate for the Applicants.

Mr. Rajan Salvi APP for the State in ABA 1738 of 2016 and 1769 of 2016.

Mr. Prashant Jadhav APP for the State in ABA 1739 of 2016.

Mr. R. M. Pethe APP for the State in ABA 1740 of 2016.

Mr. S. H. Yadav APP for the State in ABA 1770 of 2016

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 14th DECEMBER, 2016.

PC :

1) Heard. These are applications under section 438 of the Code of Criminal Procedure, 1973. Applicants herein are apprehending their arrest in crime no. 20 of 2016 registered at Shivajinagar Police Station, Pune for offence punishable under sections 192, 465, 469, 471 r/w 34 of the Indian Penal Code.

2) Upon perusal of the papers of investigation, it is clear that there was some matrimonial dispute between the first informant and the applicant in application no. 1769 of 2016. It further appears that applicants in criminal anticipatory bail application nos. 1738 of 2016, 1739 of 2016, 1740 of 2016 and 1770 of 2016 had intervened to pacify and bring about an amicable settlement between the couple, however, the first informant has blown the incident out of proportion.

3) The learned APP submits that applicants being doctors and the applicant in criminal anticipatory bail application no. 1740 of 2016 had given incorrect certificates and therefore, they do not deserve to be granted pre-arrest bail.

4) Taking into consideration the papers of investigation and the role attributed to the present applicants, this court is of the opinion that the applicants deserve to be granted pre-arrest bail. However, it is made clear that observations made herein above are restricted to an application under section 438 of the Code of Criminal Procedure, 1973 and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

- (i) Application is allowed.
- (ii) Applicants be enlarged on bail on furnishing P.R. bond in the sum of Rs. 50,000/- each with one or more solvent sureties in the like amount.
- (iii) Applicants shall report to the concerned police station as and when called.
- (iv) Applications stand disposed of.

(SMT. SADHANA S. JADHAV, J.)