

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1748 OF 2016

Mohd. Azhar Iqbal Qureshi

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

\* \* \* \* \*

Smt. Rohini Wagh, Advocate for the applicant.

Mr. A.S. Patil, APP for respondent, State.

Ms. Smita Ashok Pawar, Police Sub-Inspector of Pydhonie Police Station present.

**CORAM :- N. W. SAMBRE, J.**

**DATED :- 21ST DECEMBER, 2016.**

**P.C. :-**

1). The applicant is seeking pre-arrest bail in Crime No. 269 of 2016 registered with Pydhonie Police Station for the offences punishable under Sections 498A, 323, 504, 506 read with 34 Indian Penal Code.

2). The applicant is the husband of the complainant, Tasmiya who were married on October 8, 2014 and are blessed with

a son. The FIR came to be lodged on 24<sup>th</sup> September, 2016 for the alleged incident of 26<sup>th</sup> May, 2016 without any explanation for the delay.

3). Apart from above, what could be gathered from the record is the custodial interrogation of the applicant is not called for particularly when the offence is registered out of matrimonial discord.

4). The learned APP makes a categorical statement that the applicant has co-operated in the investigation carried out till date.

5). In view thereof, the Anticipatory Bail Application is allowed. In the event of arrest of the applicant in Crime No. 269 of 2016 registered with Pydhonie Police Station for the offences punishable under Sections 498A, 323, 504, 506 read with 34 Indian Penal Code, be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five Thousand only) with one or two local sureties in the like amount.

3). The applicant to attend police station as and when called.

4) The applicant shall not tamper with the evidence and/or influence the witnesses in any manner whatsoever.

**(N.W. SAMBRE, J)**