

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 845 OF 2015

Pushkaraj S. Yellapurkar ... Applicant
Vs.
1. The State of Maharashtra
2. Madhura Pushkaraj Yellapurkar ... Respondents

Mr. Pankaj D. Purway, Advocate for the applicant.
Mr. S.H. Yadav, APP for the State.
Ms. Vaishali J. Patil, Advocate for respondent no. 2.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **12th April, 2016.**

P.C.:

This Application is moved for relaxation of condition imposed in the order dated 10th December, 2015 passed by learned Additional Sessions Judge, Kalyan in Anticipatory Bail Application No. 1597 and 1598 of 2015.

2. The applicant is an accused in C.R. No. I-299 of 2015 registered with Dombivili Police Station and he is facing prosecution under sections 498A, 323, 406 r/w. 34 of the Indian Penal Code. While granting anticipatory bail to the applicant/husband, the learned Additional Sessions Judge, Kalyan by an order dated 10th December, 2015 imposed the following condition:

“2. The applicant no. 1 Pushkaraj Shashikant Yellapurkar is hereby directed to clear the ambiguity regarding alleged gift of the said flat and its possession in presence of Ramnagar Police by attending Police

Station on 13/12/2015 and 20/12/2015 by furnishing appropriate execution regarding the possession of said flat.”

3. On hearing the submissions of the learned counsel for the applicant and the learned counsel for respondent no. 2/wife, it appears that the parties have some proprietary disputes amongst themselves and in order to solve this dispute, the learned Additional Sessions Judge has imposed this condition while granting anticipatory bail to the applicant. However, the parties may approach to the forum where the money issues and proprietary issues of the parties can be adjudicated. Hence, condition no. 2 is deleted. Remaining order will remain the same.

4. Application is allowed.

(MRIDULA BHATKAR, J.)