

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [ABA] No.357 of 2016

(Arun Mohanlal Gupta and another

vs.

State of Maharashtra, through P.S.O. Yavatmal City)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

Shri S.G. Joshi, Advocate for the Applicants.

Shri A.M. Deshpande, A.P.P. for the Non-Applicant/State.

CORAM : S.B. SHUKRE, J.
DATE : 5th OCTOBER, 2016.

Heard the learned Counsel for the applicants and
the learned A.P.P. for the State.

Perused the F.I.R. and the case-diary as well as the
documents filed along with this application.

It is seen that there is no dispute about the fact
that there is a long standing civil dispute pending between the
family of the complainant and the family of the applicants.
About a month prior to the incident, the father of applicant
No.1 on or about 22/04/2016 had made a complaint against
the family members of the complainant in this case and had
also expressed his apprehension that the family members of
the complainant may make false allegations against him and
his family members by using the lady members of the family
of the complainant. He also expressed similar apprehension
by making a complaint to the Superintendent of Police on
22/04/2016. Even the reply of the prosecution shows that
there has been a long standing civil dispute between these two
parties. The incident has been alleged to have taken place at
between 09:00 p.m. and 09:20 p.m. of 16/05/2016. Some of

the allegations made in the report are of serious nature. They relate to outraging modesty of the complainant's daughter Priya. One allegation is that applicant No.1 snatched 'Mangalsutra' of the complainant. But, surprisingly the complainant chose to remain silent till early morning of 17/05/2016 in the matter, when she approached the Police Station and filed a report. There is no explanation, *prima facie*, given in the report. All these facts and circumstances, when considered together, would give an impression that there is something more than what is being stated by the disputing parties. In that view of the matter, I am of the opinion that this is a fit case for grant of anticipatory bail. Hence, the order.

The application is allowed and the interim anticipatory bail granted to the applicants by this Court on 9th June, 2016 is hereby confirmed on the same conditions with addition of the condition that the applicants shall attend the police station everyday between 11:00 a.m. and 01:00 p.m. for a period of one week starting from 10th October, 2016.

The application is disposed of in these terms.

*sdw

JUDGE

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of the original signed order.

Uploaded by: S.D. Waghmare
P.A. to the Hon'ble Judge.

Uploaded on : 06/10/2016