

Arising Out of PS.Case No. -31 Year- 2014 Thana -AURANGABAD COMPLAINT CASE District-
AURANGABAD

Petitioner/s

.... Opposite Party/s



application of the petitioner since only summons were issued but it is submitted by learned counsel for the petitioner that now non-bailable warrant of arrest has been issued. A statement to that effect has been made in para 13 of the petition which reads as follows:-

“That in this case Non-bailable warrant
has also been issued against the petitioner.”

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant having no issue but somehow or other the compatibility could not be developed between the petitioner and the complainant. Hence, in the compelling circumstances, the petitioner filed Matrimonial Suit No. 120 of 2014 on 10.12.2014 with a prayer for dissolution of marriage and thereafter the present complaint has been filed on 08.01.2015. In the circumstance, the petitioner is not ready to keep the complainant. However, the petitioner is ready to make payment of Rs. 4000/- per month to the complainant from March, 2017, by depositing the same in the bank account of the complainant by second week of every succeeding month.

It is submitted by learned counsel for the complainant that complainant is ready to resume the conjugal life. However, the complainant is also ready to accept the offer of the petitioner as she is unable to handle her day-to-day affairs. The complainant undertakes to supply her bank



account number by submitting the same on affidavit before learned Court below within a period of three weeks.

Considering the present stand of the parties, to save the complainant from destitution and vagrancy with lurking hope that the issue may get resolved in future, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 31 of 2015.

The above payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the complainant to file appropriate application for cancellation of bail of the petitioner.

The present order, in no way will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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