

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 332 OF 2017

1. Amol s/o Deoram Gund,
Age 33 years, Occu.Business,
R/o Bhagyashri Colony,
plot No.24, Gulmohar road,
Savedi, Ahmednagar
 2. Savita w/o Deoram Gund,
Age 53 years, Occu.Business,
R/o Bhagyashri Colony,
plot No.24, Gulmohar road,
Savedi, Ahmednagar
 3. Abhijit s/o Deoram Gund,
Age 31 years, Occu. Service
R/o Bhagyashri Colony,
plot No.24, Gulmohar road,
Savedi, Ahmednagar
At present r/o Flat No.702,
A-wing, Padmavati Dhara,
Wankad, Pune 57
- .. Applicants

Versus

- .
- The State of Maharashtra,
through Police Station Officer,
Tophkhana Police Station,
District Ahmednagar
- ..Respondent

Mr N.V. Gaware, Advocate h/f Mr S.A. Deshpande, Advocate for applicants

Mr S.N. Morampalle, A.P.P. for respondent

- WITH -

CRIMINAL APPLICATION NO.136 OF 2017

Deoram s/o Dattatraya Gund,
Age 59 years, Occu. Pensioner
(Retired as Store Keeper,
Kukadi Irrigation Division no.1,
Narayangaon) at present residing
at Bhagyashree colony, Plot no.24,
Gulmohar road, Savedi,
Ahmednagar

.. Applicant

Versus

The State of Maharashtra,
through Police Station Officer,
Tophkhana Police Station,
District Ahmednagar

..Respondent

Mr V.H. Dighe, Advocate for applicant
Mr S.N.Morampalle, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 19th January 2017

PER COURT

1. The applicants are seeking pre-arrest bail in Crime No.I-423/2016, registered at Tophkhana police station, Ahmednagar, for the offences punishable under Sections 498-A, 354-A, 323, 504, 506 read with Sec.34 of Indian Penal Code.

2. It is claimed that the incident had taken place from 27th February 2011 to 27th December 2016. So far as offences punishable under Sections 354-A and 323 of the Indian Penal Code are concerned, same are bailable. Offence under Section 498-A as could be inferred from the contents of first information report is since 2011, and there is inordinate delay in lodging the first information report.

3. Apart from above, custodial interrogation of the applicants is not warranted.

4. The applicants are in-laws of the victim. Victim is gainfully employed as a teacher in a school and as such, is well aware of her legal rights. As such, the applicants are entitled for bail.

5. In the event of their arrest in Crime No..I-423/2016, registered at Tophkhana police station, Ahmednagar, for the offences punishable under Sections 498-A, 354-A, 323, 504, 506 read with Sec.34 of Indian Penal Code, the applicants be released on bail, upon furnishing P.R. bond of Rs.15,000/- each with one or two sureties in the like amount.
6. The applicants shall attend the investigating officer on 22nd and 23rd January 2017 between 10.00 a.m. and 12.00 noon and thereafter, as and when called for.
7. Criminal Applications stand allowed accordingly.

(N.W. SAMBRE, J.)

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