

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

CRIMINAL APPLICATION NO. 3450 OF 2017

Rukhsana Begum w/o Shaikh Ahmed
and others ... Applicants

VERSUS

The State of Maharashtra ... Respondent

.....

Mr. T.Y.Sayyed, advocate for the applicants
Mr. A.R.Borulkar, A.P.P for respondent
.....

CORAM : K.L.WADANE, J.
DATED : 26th JULY, 2017

O R D E R :

Heard Mr. Sayyed, learned counsel for the applicants and Mr. Borulkar, learned A.P.P. for the respondent.

2. The informant lodged complaint to the police station alleging that on 22.6.2017 at about 10.30 a.m. when the informant and her husband were in their house, applicant no.1 came and inquired as to who has scattered garbage, on which the informant told her that she has not thrown the garbage. At that time, applicant nos. 1 to 3 have started abusing her. All of them entered the

house, abused her husband and applicant nos. 2 and 3 pressed her chest. They have also assaulted the husband of informant. From the perusal of above statements, it appears that it is alleged by prosecutrix that applicant nos. 2 and 3 have pressed her chest in presence of her husband as well as in presence of the mother of applicant nos. 2 and 3. In normal course, it is improbable that a person will do such an act in presence of husband of the prosecutrix as well as in presence of mother of applicant nos. 2 and 3. From the medical certificate, it appears that no injury is sustained to the informant.

3. In view of above allegations, I am of the opinion that custodial interrogation of the present applicants is not necessary.

4. Hence, the following order.

(i) Criminal Application is allowed.

(ii) In the event of arrest of the applicants, they be released on bail in connection with Crime No. 319 of 2017, registered with Satara police station, District Aurangabad, on thier furnishing

P.R. bond of Rs. 5,000/- with one solvent surety
in the like amount.

5. Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm