

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 221 OF 2016

Mr. Harshal Shridhar Chavan	.. Applicant
Versus	
The State of Maharashtra & Anr.	.. Respondents

Ms. S.A. Dhamale for the Applicant.
Ms. Rupali Shinde for Respondents.
Ms. Veera Shinde, A.P.P. for the State.

**CORAM :- SMT. SADHANA S. JADHAV, J.
DATED :- 9th JANUARY 2017.**

PC. :-

1 Heard. This is an application under Section 438 of Cr.PC. The applicant herein is apprehending his arrest in Crime No.23 of 2016 registered at Meghwadi Police Station, Jogeshwari, for the offences punishable under sections 498-A, 323, 504 of I.P.C r/w. Section 7 of the Protection of Civil Liberties Act. The applicant is protected by way of interim protection since 04.02.2016.

2 It is the case of the prosecution that the applicant was in love with respondent No.2. They got married on 08.07.2014. It was registered marriage. According to the complainant, she is belonging to Schedule Caste and after marriage she was being humiliated and insulted on account of the same. It is alleged that the parents and relatives of the applicant used to taunt him for marrying the girl

belonging to the Schedule Caste. It is also alleged that the applicant was threatening the complainant to give divorce and being fed up of the harassment she had consumed phenol. It is alleged that on 15.09.2015 the applicant had abandoned the complainant and on 18.09.2015 he had informed her telephonically that he would not be able to maintain her. In these circumstances complainant approached the police station and lodged a report against the applicant on the basis of which Crime No.23 of 2016 is registered at Meghwadi Police Station against the applicant. It is apparent on the case of the record that the initiation of the criminal prosecution is an outcome of a matrimonial dispute. The custodial interrogation of the applicant would not be imperative and hence, the applicant deserves to be granted pre-arrest bail. The applicant is protected since 04.02.2016 and there is not the case of the prosecution that he has not co-operated with the investigation.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, the applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs.25,000/- with one or more local solvent sureties in the like amount.
- (iii) The applicant shall report to the police station as and when called.
- (iv) The Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)