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

ANTICIPATORY BAIL APPLICATION NO. 351 OF 2017

Mr. Deepak Ram Bilas Tiwari .. Applicant
Vs.
The State of Maharashtra & Anr. .. Respondents

Ms. Shreya Shrivastava for the Applicant.
Mr. M.G.Patil, APP for Respondent No.1 -State.
Mr. Prashant Aher i/b. Mr. Yogesh Tripathi for Respondent No.2.
Mr. Ranshevre, API, D.N. Nagar Police Station, Andheri (present)

CORAM : A.S. GADKARI, J.
DATE : 5th MAY, 2017.

P. C. :

1. By an order dated 05.04.2017, the applicant was granted interim relief. The first informant Smt. Jyoti Tiwari is the wife of the applicant. It is alleged that the marriage between the first informant and the applicant was solemnized on 02.12.2015. That, in the marriage the parents of the first informant gave various valuable articles and cash amount totalling to Rs.21,96,000/- towards 'Stridhan' and dowry to the applicant and his family members. That, thereafter the applicant continuously harassed and tortured the first informant for additional dowry. It is also alleged that the applicant was having an affair with a girl, namely, Mamta Singh and on that count also he used to torture and harass the first informant. That, the applicant used to demand additional dowry and used to pass sarcastic comments against the first informant. In the premise, the first information report is lodged.

2. Learned counsel for the applicant submitted that the first

informant while leaving to her maternal home, has taken all her 'Stridhan' and the applicant does not have anything which is mentioned in the FIR. He has submitted that there is nothing to recover from the applicant and therefore the custodial interrogation of the applicant is not necessary. She, therefore, prayed that the applicant may be granted pre-arrest bail.

3. I have perused the record of investigation. The first informant has given a categorical list of the articles (including ornaments) as her 'Stridhan' apart from the cash amount mentioned in the said report. The investigation so carried out till date reveals that the ornaments and other valuable articles are still in the possession of the applicant and the police are yet to recover the same. It further appears from the record that the applicant subjected the first informant to mental and physical cruelty. The applicant was having an affair with Mamta Singh and, due to which also he subjected the first informant to mental cruelty.

4. After taking into consideration, the serious allegations against the applicant and the gravity of the offence, this Court is of the view that the applicant does not deserve to be protected by way of pre-arrest bail. The application is, accordingly, rejected.

5. At this stage, the learned counsel for the applicant requested that the interim relief, which is running in favour of the applicant, may be extended for a further period of two weeks. For the reasons stated for rejection of present application hereinabove, the said prayer is rejected.

[A. S. GADKARI, J.]