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

ANTICIPATORY BAIL APPLICATION NO.609 OF 2017

Anjum Aji Sarkawas

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.K.S.Patil, i/b Mr.Deepak Girme, for the Applicant

Mr.Rajan Salvi, A.P.P for the Respondent-State

HC – 4407 N.D.Shelar, Yerwada Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 10th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 206 of 2017 registered with the Yerwada Police Station, Pune, for the alleged offences punishable under Sections 316, 325, 323, 504 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicant states that initially the case

was registered for the alleged offences punishable under Sections 325, 323, 504 r/w 34 of the Indian Penal Code and that on the next day Section 316 of the Indian Penal Code came to be added. He submitted that the allegation according to the complainant is that the applicant's father – Abdul Bashir Sayyed gave a kick blow on Sudha's abdomen, leading to the miscarriage.

4. Learned APP opposed the application.

5. Perused the papers. The incident in question took place on 28th February, 2017 and is an outcome of a quarrel which took place between the applicant and her father on one side and the complainant's daughter on the other. It appears that in the said fight, the applicant's father - Abdul Sayyed gave a kick blow, on the abdomen of the complainant's daughter. The complainant's daughter was pregnant at the relevant time. Pursuant to the kick blow, the complainant's daughter was required to be hospitalised and later suffered a miscarriage. A perusal of the statement of the complainant and her daughter – Sudha shows that it was the applicant's father – Abdul Sayyed, who gave a kick blow on Sudha's abdomen and

thereafter, both the applicant and her father assaulted the complainant and her daughter with fist and kick blows. The applicant's father has been attributed a specific role.

6. Considering the aforesaid and the fact that the applicant is a lady, the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;
- (ii) The applicant shall report to the Investigating Officer of the concerned Police Station every Monday between 10.00 a.m. to 12.00 noon, till the filing of the charge-sheet and thereafter on the first Monday of every month for a period of 12 months from the date of filing of the charge-sheet;
- (iii) The applicant shall not tamper with the evidence or attempt to

influence the complainant, witnesses or any person concerned with the case.

(iv) The applicant shall inform her latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the trial Court and to the concerned Police Station, in writing;

(v) The Applicant shall co-operate with the Investigating Agency.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.