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

ANTICIPATORY BAIL APPLICATION NO.668 OF 2017

1. Rajkumar Kaushik@ Sharma
 2. Anuradha Rajkumar Sharma
 3. Anmol Rajkumar Sharma
 4. Prem Chand Meghawal
 5. Yogesh Sharma
 6. Jitendra Prakash Veer
 7. Vandana Gaurav Shah
- ...Applicants

Versus

1. The State of Maharashtra
 2. Ajay Babu Lal Shah
- ...Respondents

Mr.Laxminarayan Shukla i/b M/s.Legal Vision, for the Applicants

Ms.S. S. Kaushik, A.P.P for the Respondent-State

PHC -M.S.Shinde, Sangli Police Station.

CORAM : REVATI MOHITE DERE, J.

DATE : 12th JUNE, 2017

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 190 of 2016 registered with the Sangli City

Police Station, Sangli for the alleged offences punishable under Sections 193, 379, 385, 406, 418, 427 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicants state that the aforesaid complaint is a counter blast to the matrimonial cases filed and lodged by the applicant no.7 – Vandana Gaurav Shah. He submitted that the applicant no.7 – Vandana was married to the son of the complainant viz. Ajay Babu Lal Shah (respondent no.2) on 21st April, 2015. He submits that thereafter as applicant no.7 was being ill-treated by her husband – Gaurav Ajay Shah and in-laws, she filed a complaint alleging offences punishable under Sections 498A, 354A, 377, 406 r/w 34 of the Indian Penal Code, in the Rohini Police Station, Delhi. He submitted that applicant no.7 had also filed a Domestic Violence Case in the Delhi Court. He submits that in the present case all the immediate family members and close relatives have been falsely implicated.

4. Vide order dated 18th April, 2017, the applicants were directed to report to the Investigating Officer of the concerned Police Station from 27th to 29th April, 2017. The said order was challenged by the applicants

before the Apex Court and the Apex Court vide order dated 3rd May, 2017, was pleased to dismiss the Special Leave Petition filed by the applicants and directed the applicants to report to the Investigating Officer of the concerned Police Station from 29th to 31st May, 2017.

5. Learned APP states on instructions, that pursuant to the order dated 3rd May, 2017, passed by the Apex Court, the applicants have attended the concerned Police Station from 29th to 31st May, 2017. She states on instructions that the custodial interrogation of the applicants is not necessary.

6. Perused the papers. It appears that matrimonial proceedings are pending between the applicant no.7 on the one hand and the complainant's (respondent no.2) son – Gaurav Shah on the other. It appears that applicant no.7 was married to the son of the complainant viz. Gaurav Shah on 21st April, 2015. It appears that as applicant no.7 was being allegedly ill-treated, she filed a complaint/FIR on 22nd January, 2016, alleging offences punishable under Sections 498A, 354A, 377, 406 r/w 34 of the Indian Penal Code, as against the complainant and others in Delhi. It also

appears that applicant no.7 has filed an application under Section 12 of the Domestic Violence Act and one Petition under Section 125 of the Code of Criminal Procedure in Delhi. The present C.R. has been lodged on 10th May, 2016. According to the complainant, the applicant no.7 took away the jewellery and cash from their house. The said incident is alleged to have taken place on 28th June, 2015. It is alleged by the complainant that his sisters – Sheela Shah and Neela Mehta saw applicant no.7 – Vandana and her parents in Gaurav's room and saw Vandana putting gold jewellery in her bag, pursuant to which, the aforesaid complaint was lodged.

7. Considering the nature of allegations and the statement made by the learned APP on instructions, the custodial interrogation of the applicants is not necessary. The application is accordingly allowed and the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.
9. It is made clear that the observations made herein are *prima facie* and are confined to this application.
10. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)