

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.707 OF 2017

Mr. Kuntesh Virabhai Patel ...Applicant

Versus

State of Maharashtra ...Respondent

Mr. Anil Patel for the applicant.
Smt. Veera Shinde, APP for the respondent – State.

CORAM : PRAKASH D. NAIK, J.

DATE : 07 JUNE 2017

P.C. :

1. This is an application for anticipatory bail. The Applicant is apprehending arrest in connection with C.R. No.132 of 2017 registered with Goregaon Police Station for the offences punishable under Sections 498A, 323, 504, 506 read with 34 of the IPC.

2. The prosecution case is that there are differences between complainant and her in-laws. The complainant has implicated the applicant as well as other person in the First Information Report. The dispute is on account of matrimonial discord between the parties.

3. Learned advocate for the applicant submits that there is no allegation of dowry, misappropriation of ornaments by the

complainant. He submitted that the false First Information Report was lodged against the applicant. He further submitted that the complainant and the applicant had filed the petition for divorce by mutual consent before the family Court on 16 January, 2017. The complainant had appeared in the said proceeding on the date of filing however, thereafter she did not attend the same. The said petition is still pending in the Family Court. He submitted that thereafter on 31 March, 2017 the present First Information Report is lodged.

4. Taking into consideration the nature of the allegation and aforesaid circumstances, I am inclined to confirm interim order granted by this Court on 21 April, 2017.

:: ORDER ::

- (i) Application is allowed. Interim order dated 21 April, 2017 is confirmed.
- (ii) The applicant is directed to attend Goregaon Police Station once in a week between 7.00 to 9.00 pm till the filing of chargesheet.
- (iii) The applicant will not tamper with prosecution witnesses.
- (iv) The application stands disposed off accordingly.

[PRAKASH D. NAIK, J.]