

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.941 OF 2017

Mr. Vikram Pagare s/o. Ramesh Pagare & anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr. J. A. Udaipuri i/b. Mr. Udaipuri & Co for the applicant.
Smt. J. S. Lohokare, APP for the respondent-State.

**CORAM : PRAKASH D. NAIK, J.
DATE : 29 JUNE 2017**

P.C. :

1. This is an application for anticipatory bail. The applicants are apprehending arrest in connection with C.R. No.26 of 2017 registered with Kharghar Police Station for the offences punishable under sections 498(A), 354, 504 read with 34 of IPC.

2. Applicant no.1 is husband and applicant no.2 is father-in-law of the complainant.

3. The prosecution case is that the marriage between applicant no.1 and the complainant was solemnized on 12 May, 2013. It is alleged that applicant no.1 was suspecting the character of the

complainant and was harassing her. The other accused had also caused harassment to the complainant. Applicant no.2 is attributed the allegations purportedly committing to the offence under section 354 of IPC. The applicant no.2 had attempted to sexually abuse the applicant under influence of liquor. Since 2015, the complainant is residing with his parents. There were talks of reconciliation and in December, 2015, the complainant had joined the matrimonial home. However, the applicant no.1 was suspecting her character. He abused and assaulted her. She again went to her parents on 20th December, 2015. The accused were also demanding money from the complainant to be brought by her from her parents to purchase home. The FIR was lodged on 20th January, 2017.

4. Learned advocate for the applicant submitted that they have been falsely implicated in this crime. There are matrimonial differences between the applicant and the complainant. He relied upon the face book messages stating that the complainant had affair with one Mayur Rathod. He submitted that the mother of the applicant no.1 has been granted anticipatory bail by the Sessions Court. The applicants have co-operated with the investigation. They were directed to attend the police station which were complied by

them. This court had granted interim protection to the applicants vide order dated 29 May, 2017.

5. Perused the FIR and material produced on record. The complainant had left the matrimonial home in December, 2015. She lodged the FIR in January, 2017. She Considering the nature of offence, the custodial interrogation of the applicants is not necessary.

6. Hence, I pass the following order;

:: ORDER ::

- (i) Anticipatory Bail No.941 of 2017 is allowed.
- (ii) Interim order dated 29 May, 2017 is hereby confirmed.
- (iii) The applicants are directed to report to Kharghar police station once in a week on every Saturday between 11.00 am to 1.00 pm till filing of the chargesheet.
- (iv) The applicants shall not tamper with the evidence.

[PRAKASH D. NAIK, J.]