

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1026 OF 2017

Gayatri Rajesh Chavan ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. R.Naik i/b Vindod Sanghvikar for the applicant.
Mr. V.V.Gangurde, APP for the State.
PSI Vijay Satpute Shivaji Nagar police Station.

CORAM: A.M. BADAR, J.
DATED: 12th OCTOBER, 2017

PC:-

1. The applicant who is arraigned as accused No.2 in Crime No.254 of 2016 registered at the instance of Savita Prakash Chitte with Police Station Shivaji Nagar, Thane for the offences punishable under Sections 380, 323, 504, 506 and r/w 34 of the Indian Penal Code, by this application is seeking pre-arrest bail.

2. Heard the learned advocate appearing for the applicant/accused. By drawing my attention to the FIR

lodged by the present applicant against the husband of the first informant Savita as well as several reports of non cognizable cases lodged by the present applicant, the learned advocate for the applicant submitted that both the parties were on inimical terms and therefore, the applicant is falsely implicated in the Crime in question in order to give counter blast to the FIR lodged by the applicant.

3. The learned APP opposed the application.

4. I have carefully considered the rival submissions and perused the case diary. Savita Chitte, on 24.11.2016 has reported that on 23.11.2016 at about 8.30 a.m. the present applicant alongwith co-accused Padma Ingale and one unidentified lady entered in her house and abused her. She was then assaulted. The first informant further alleged that her cell phone as well as Rs.8000/- came to be robbed from her by the present applicant as well as other co-accused. She was threatened to pay some amount to the present applicant

for withdrawing the Crime registered at her instances. It is seen that on earlier occasion, the present applicant had lodged report against Prakash Chitte husband of the first informant alleging that said Prakash Chitte outraged her modesty and assaulted her. Subsequently, the present applicant had lodged various reports in respect of the commission of non-cognizable offences by the first informant and her associates. The present applicant has also sent complaints against the prosecuting party and particularly the first informant to the Hon'ble Chief Minister as well as several police officers.

5. In this backdrop, subject FIR will have to be considered. Papers of investigation shows that at the time of commission of alleged offence, the present applicant was attending some seminar.

6. In this view of the matter, liberty of the present applicant needs to be protected and her custodial

interrogation is not warranted. It is not reported that the applicant had breached the condition of attendance to the police station. As such the following order:-

ORDER

- (i) The application is allowed.
- (ii) The order dated 19th June, 2017 is confirmed on same terms and conditions.
- (iii) The applicant / accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to the Police Officer.
- (iv) The application is disposed of accordingly.

(A.M. BADAR, J)