

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

ANTICIPATORY BAIL APPLICATION NO.46 OF 2018

Vanita Balasaheb Dange & Ors. Applicants

Vs.

The State of Maharashtra Respondent

Mr. S.N. Raj i/by Mr. Rohit V. Mahadik for the Applicants.

Ms. S.S. Kaushik APP for the State.

Mr. B.M. Bhatungade, H.C., Akulj Police Station, Solapur (Rural).

Coram : **Smt. Sadhana S. Jadhav, J.**

Date : **11th January 2018**

P.C.:

1 Heard the learned counsel for the applicant and the learned APP.

2 This is an application under Section 438 Code of Criminal Procedure. The applicants herein are apprehending their arrest in Crime No.559 of 2017, registered at Akulj Police Station, for the offences punishable under Sections 363 and 506 Indian Penal Code.

3 It is the case of the prosecution that on 7th November 2017, one Bhagyashri Popat Gholap lodged a report at the police station alleging therein that her cousin Swapnaja Vitthal Gaikwad has

been pulled by force and made her to sit on the backside seat in the car and kidnapped by the original accused no.1 i.e. Prashant Suresh Dange alongwith others. She was forcibly made to marry Prashant Dange. On the basis of the said report, Crime No.559 of 2017 is registered. In the course of investigation, it was revealed that victim-Swapnaja got married to Prashant Dange. When they were in the lodge at Pune, the present applicants, who happen to be the relatives of Prashant Dange had threatened the victim refraining her from lodging her report.

4 Upon perusal of the submissions of the victim, Swapnaja and the statements of other witnesses, it is clear that the applicants had neither abducted Swapnaja nor they were present at the time of marriage nor they had given shelter to the couple after the marriage. There is omnibus allegations that the applicants herein had threatened Swapnaja. Taking into consideration the role attributed to the applicant, this court is of the opinion that the applicants deserve to be enlarged on bail.

5 The observations made hereinabove are prima facie in nature and are restricted to the application under Section 438 Code of Criminal Procedure and shall not be taken into consideration for the purpose of quashing of F.I.R., discharge application or at the time of trial. Hence, the order :

O R D E R

- 1 The application is allowed.
- 2 In the event of arrest, the applicants be enlarged on bail on furnishing PR. bonds of Rs.25,000/- each with one or two solvent sureties in the like amount.
- 3 The applicants shall report to the concerned police station as and when called.

(Smt. Sadhana S. Jadhav, J)