

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 474 OF 2017

Mr.Siddharth B. Lahane Applicant.
Vs.
The State of Maharashtra & Anr.Respondents.

Mr. Sachin Chandan, Advocate for the Applicant.
Mr. Amit Palkar, APP, for the Respondent-State.
Ms. Veena J. Kamble, Advocate for the Respondent No.2.

CORAM : A. S. GADKARI, J.
DATE : 3rd August, 2018.

P.C.:-

- 1) The applicant was granted interim relief by order dated 17th March, 2017.
- 2) Heard learned counsel appearing for the applicant, the learned Counsel appearing for the Respondent No.2 and the learned APP for the State. Perused the record.
- 3) The record indicates that, Hindu Marriage Petition No. 112 of 2018 has been filed before the learned Civil Judge, Senior Division, Mehkar, District Buldhana under Section 13(b) of the Hindu Marriage Act, 1955 by the applicant and the respondent No.2 herein for decree of divorce by mutual consent as per the terms and conditions mentioned therein. The same is pending for final adjudication.

- 4) In view of the said consent terms, the applicant deserves to be protected by pre-arrest bail.
- 5) The learned Counsel for the respondent No.2 submitted that the applicant is threatening the respondent No.2 and is also not granting access to their son who is in the custody of the applicant.
- 6) As far as threat administered by the applicant to the respondent No.2 is concerned, the applicant is put on notice that, hereinafter one single complaint to the police by the respondent No.2 intimating, pressurising and/or threatening her will attract the provisions for cancellation of the present pre-arrest bail.
- 7) As far as the issue of custody of their son is concerned, the applicant and the respondent no.2 are at liberty to agitate the same before the concerned Court before whom H.M.P. No. 112 of 2018 is pending for final adjudication.
- 8) In view of the above, interim relief granted by order dated 17th March, 2017 is hereby confirmed. However, the condition to attend the Investigating Officer of the concerned Police Station is restricted upto the stage of filing of final report.
- 9) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)