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

ANTICIPATORY BAIL APPLICATION NO. 843 OF 2017

Dhammadeep Kalba Jondhale & Ors.

... Applicants

V/s.

The State of Maharashtra

... Respondent

Mr. Ganesh Gole i/b Ateet Shirodkar for Applicant.

Ms. J.S. Lohokare, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 4th June 2018.

P.C.:

1] By an Order dated 5th May 2017, the applicant was granted interim relief.

2] Heard the learned Counsel for the applicant and the learned APP.
Perused the record.

3] The record clearly indicates that, the applicant No.1 has filed a Hindu Marriage Petition bearing No.47 of 2016 before the Court of Civil Judge, Senior Division, Biloli, District- Nanded on 15th November 2016 under Section 9 of Hindu Marriage Act for restitution of conjugal rights, after the first informant left the matrimonial house on 23.12.2014 and refused to cohabit with applicant No.1. The first information report is lodged on 20.11.2016 i.e. after filing of the aforesaid Marriage Petition by the applicant No.1.

4] Prima facie, it appears that, lodgment of present crime is a counter blast to the said petition filed by the applicant No.1 on 15th November 2016. A bare perusal of the first information report indicates that general allegations are made against the applicant Nos.2 to 7. The main allegations are against the applicant No.1. Apart from alleged demand of dowry, there is an allegation against the applicant No.1 that, he is having illicit relations with one Smt. Rekha P. Jondhale. It is to be noted here that, in the present crime all family members of the applicant No.1 have been impleaded as accused. It is informed that, the police have already submitted chargesheet.

5] After perusing the record and in view of ratio laid down by the Supreme Court in the case of Arnesh Kumar Vs. State of Bihar [(2014) 8 SCC 273], this Court is of the view that the applicants deserve to be protected by pre-arrest bail.

6] In view thereof, interim relief granted by an Order dated 5th May 2017 is hereby confirmed.

7] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)