

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 1919 of 2018.

Pankaj Prakash Bawaskar	..Applicant.
Vs	
State of Maharashtra	..Respondent.

Mr. Satyajeet Dighe for the Applicant.
Mr. S.R. Agarkar, APP for the State.
Mr. V. Dhumal, Police Inspector, Panchvati P.S. present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATE : 19TH SEPTEMBER, 2018

P.C:-

- 1) This is an application filed under Section 438 of Criminal Procedure Code by the aforesaid applicant for pre-arrest bail, apprehending his arrest in C.R.No.233 of 2018 registered at Panchavati Police Station, Nashik, for offences punishable under sections 498(A), 323, 406, 504, 506 read with section 34 of the Indian Penal Code.
- 2) Heard Mr. Dighe, learned counsel for the applicant and Mr. Agarkar, learned APP for the State. Perused the records and considered the submissions advanced by the learned counsels for the respective parties.
- 3) The aforesaid crime was registered pursuant to the

first information report lodged by Chanchal Bavaskar, wife of the applicant. The first information report, prima facie, indicates that the applicant and the first informant were married on 24th May, 2014. She was residing in her matrimonial home along with the applicant and his family members. She claims that after the marriage the applicant had told her that he had love affair with another girl. Subsequently, the applicant refused to cohabit with her. There are also general allegations against the applicant and the other family members that they were demanding dowry. The first information report prima facie reveals that the applicant had driven the first informant out of matrimonial home on 24th December, 2016 and since then she was residing in her parental home. The first information report was lodged on 20th June, 2018. i.e., after a period of one and half year from the date the first informant had left the matrimonial home.

4) Considering the above fact and also considering that the other co-accused against whom similar allegations are made, have been granted anticipatory bail by the learned Additional Sessions Judge, Nashik, in my considered view, the applicant is also entitled for grant of pre-arrest bail. Hence, the following

order :

- (i) Application is allowed.
 - (ii) In the event of arrest in Crime No. 233 of 2018 registered with Panchavati Police Station, Nashik, the applicant be released on bail on his furnishing bail bonds of Rs. 25,000/- with one or two solvent sureties in the like amount to the satisfaction of the concerned Investigating Officer.
 - (iii) The applicant shall report to the Investigating Officer for four days from Monday i.e. 24th September, 2018 between 11:00 a.m. to 12:00 noon and thereafter as and when required and called by the Investigating Officer.
 - (iv) The applicant shall furnish his permanent and temporary address, if any, and his contact details to the Investigation Officer.
 - (v) The applicant shall not change his residential address without prior intimation to the Investigation Officer.
 - (vi) The applicant shall not interfere with the complainant/first informant, other witnesses and shall not tamper with the evidence in any manner.
- 5) The application is disposed of in the aforesaid terms.

(SMT. ANUJA PRABHUDESSAI, J.)