

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

ANTICIPATORY BAIL APPLICATION NO.2036 OF 2017

Mr. Atul Ramgati Patel

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Ramujagir S. Singh for the Applicant.

Mr. Ameet Palkar, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 15th JANUARY 2018

P.C.:

1. By an Order dated 24.11.2017 the applicant was granted interim relief.
2. Perused the record of investigation.
3. The applicant is the brother of aunt of first informant. The first informant was residing with her maternal uncle at Mumbai. The record indicates that, there are matrimonial discords/disputes *inter-se* between the maternal uncle of first informant and his wife. It prima-facie appears

that the first informant is put fourth by her uncle to make allegations against the applicant with a view to settle the score with his wife Mrs. Vishakha Verma. The applicant is the real brother of said Mrs. Vishakha Verma. As noted earlier, prima-facie it appears that the relations of Mrs. Vishakha Verma with her husband, who is the uncle of first informant are strained, and therefore, the present crime has been lodged at the instance of first informant.

4. After taking into consideration the peculiar facts and circumstances of the present case, this Court is of the view that, for further investigation of the present crime, the custodial interrogation of the applicant is not necessary.

5. In view of the above, the interim relief granted by an Order dated 24.11.2017 is hereby confirmed. However, the condition to attend the concerned police station is waived.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)