

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI ANTICIPATORY BAIL APPLICATION NO. 2489 OF 2018

Santosh Shripati Chikhalikar ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. P. C. Mohite, i/b Kishor G. Pashte, for the Applicant.

Mr. M. G. Patil, APP for the Respondent/State.

Mr. B. B. Adak, PSI, Mira Raod Police Station, present.

CORAM: PRAKASH D. NAIK, J

DATED: 5th December, 2018

PC:-

1. This is an application for anticipatory bail in CR No. I-341 of 2018 registered with Mira Road Police Station, District – Thane, for the offences punishable under Sections 498-A, 323, 504 and 506 of Indian Penal Code.
2. The complainant is the wife of the applicant. The marriage between them was solemnised on 28th December, 2003. Since 2012. The applicant – accused got acquainted with a woman from the same vicinity and having an affair with her. On questioning the applicant, he assaulted the complainant. FIR was lodged on 7th October, 2018.
3. Taking into consideration the nature of allegation, the custodial interrogation of the applicant is not required. The marriage was solemnised in the year 2003. The applicant is Police Officer. Learned APP submitted that the mobile phone of the applicant is required to be recovered for the investigation.

The applicant can be directed to cooperate with the investigation by handing over his mobile phone to the Investigating Officer. The learned Counsel for the applicant submitted that the applicant is willing to hand over his mobile phone to the Investigating Officer. In view of the above, the ground for anticipatory bail is made out.

4. Hence the following order:

: O r d e r :

- (i) Anticipatory Bail Application No.2488 of 2018 is allowed.
- (ii) In the event of arrest of the applicant, in CR No. I-341 of 2018 registered with Mira Road Police Station, District – Thane, for the offences punishable under Sections 498-A, 323, 504 and 506 of Indian Penal Code, be released on bail on furnishing Personal Bond of Rs.25,000/- with one or more sureties in the like amount.
- (iii) Applicant shall report the Investigating Officer on 10th, 11th and 12th December, 2018 between 11.00 am. to 1.00 pm. and cooperate with the investigation.
- (iv) Applicant shall not tamper with the prosecution evidence.

5. Application stands disposed of.

[PRAKASH D. NAIK, J.]