

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2536 OF 2018

Firoz Salim Memon, Age 30 years,  
Occ.Vegetable Vendors, R/o.Galli No.12,  
Near Saraswati School, Kranti Nagar,  
Rabodi No.2, Thane(W)-400 601.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Tausif Ansari I/by Yasmin A. Shaikh for applicant.  
Mrs.G.P.Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 11<sup>th</sup> December 2018

PC :

1. This is an application for anticipatory bail in connection with CR No.197 of 2018 registered with Rabodi Police Station for offences punishable under Sections 324, 354, 504, 109, 427 r/w 34 of Indian Penal Code. The FIR was lodged by wife of applicant on 14<sup>th</sup> November 2018. It is alleged that on 12<sup>th</sup> November 2018 there was a quarrel between the complainant and the applicant as well as brother of the applicant. It is alleged that the complainant was abused and assaulted by the accused. The brother of the applicant alleged to have outraged modesty of the complainant.

2. It appears that there are matrimonial dispute between the applicant and complainant who is his wife. She has initiated, according to the applicant, proceedings under Domestic Violence Act. The offence u/s 324 of IPC is bailable in nature. The other offence

which is involved in the FIR is u/s 354 of IPC and overt act in that regard is attributed to the brother of applicant.

3. In the circumstances custodial interrogation of applicant is not necessary. Case for anticipatory bail is made out. Hence, I pass following order :

**ORDER**

- (i) Criminal Anticipatory Bail Application No.2536 of 2018 is allowed and disposed off;
- (ii) In the event of arrest of applicant in connection with CR No.197 of 2018 registered with Rabodi Police Station, the applicant be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report the investigating officer as and when called till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST