

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

**ANTICIPATORY BAIL APPLICATION NO.260 OF 2019**

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|----------------------|---------------|
| Sudam Rajdev Chauhan | .. Applicant  |
| <b>Vs.</b>           |               |
| State of Maharashtra | .. Respondent |

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Mr.Yogesh Dandekar, Advocate for the Applicant.  
Mrs.G.P.Mulekar, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, J.**

**DATED : FEBRUARY 5, 2019.**

**P.C. :**

This is an application for anticipatory bail in connection with C.R.No.299 of 2018, registered with Boiser Police Station, District-Palghar, for the offences punishable under Section 498-A, 323, 504, 506 read with 34 of Indian Penal Code (“IPC”, for short). First Information Report (“FIR”, for short) was lodged on 28<sup>th</sup> December, 2018. The marriage between the complainant and the son of the applicant was solemnized on 28<sup>th</sup> November, 2013. The complaint refers to the alleged harassment and demand made by the accused. Applicant is the father-in-law of the complainant. The mother-in-law and the sister-in-law were granted anticipatory bail by the Sessions Court. Prior to lodging

the FIR. Complainant had filed the complaint before the concerned Court under Section 12 of Domestic Violence Act ("DV Act", for short) on 19<sup>th</sup> August, 2018, and, apparently, thereafter, FIR has been registered. Learned counsel for the applicant submits that there is variation in the complaint lodged under the DV Act and the FIR. Learned APP submitted that the harassment caused to the complainant has been reflected in the FIR, and specific role has been attributed to the applicant.

2 I have perused the FIR and the complaint filed by the complainant under DV Act. The dispute arose due to matrimonial discord. The mother-in-law and the sister-in-law of the complainant was granted anticipatory bail. Prior to lodging the FIR. Complaint under the DV Act was filed by the complainant. Apparently, there is variation in both the complaints. Considering the aforesaid circumstances, case for anticipatory bail is made out.

3 Hence, I pass the following order:

**:: ORDER ::**

- (i) Anticipatory Bail Application No.260 of 2019, is allowed;

- (ii) In the event of arrest of the applicant in connection with C.R.No.299 of 2018, registered with Boiser Police Station, District-Palghar, the Applicant be released on bail on his furnishing P.R. Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;
- (iii) Applicants shall attend Boisar Police station, District-Palghar, on 11<sup>th</sup> to 13<sup>th</sup> February, 2019, between 11:00 a.m. to 01:00 p.m., and, thereafter, as and when called for by the investigating officer, till the filing of the charge-sheet;
- (iv) Anticipatory Bail Application stands disposed of.

**(PRAKASH D. NAIK, J.)**