

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 451 OF 2019

Kauran Nivas Katoch .Applicant

Vs.

The State of Maharashtra .Respondent

Dr. Samarth S. Karmarkar i/b. Mr. Rahul Shelke, Advocate, for
the Applicant

Mrs. P. P. Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 24.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. I-124 of 2018 registered with the Kapurbawdi Police Station, Thane, for the alleged offences punishable under Sections 498A, 406 r/w 34 of the Indian Penal Code.

3. Perused the papers. The Applicant was granted interim

protection by this Court (Coram : Prakash D. Naik, J.) vide order dated 21.02.2019 passed in ABA No. 451 of 2019. The marriage between the Complainant (daughter-in-law of the Applicant) and the son of the Applicant was solemnized on 12.12.2013. After registration of the FIR, it appears that the Complainant initiated divorce proceedings in a Court, in USA. It also appears that the Complainant's husband is residing in USA. Learned counsel for the Applicant submits that the Court in USA has granted a decree of divorce to the Complainant and the Applicant's son, on 17.12.2018.

4. In the peculiar facts of this case, custodial interrogation of the Applicant is not warranted. Accordingly, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 25,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer

of the concerned police station **as and when called for** by the investigating officer;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)