

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.542 OF 2019

Sanjay Paulas Pandit	Applicant
versus	
The State of Maharashtra	Respondent

AND

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.543 OF 2019

Yogesh Suresh Muntode	Applicant
versus	
The State of Maharashtra	Respondent

AND

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.544 OF 2019

Rahul Namdeo Jadhav	Applicant
versus	
The State of Maharashtra	Respondent

Mrs.Yashoda Jondhale I/by Jondhale & Co. for applicants.

Mr.S.R.Agarkar, APP, for State.

Mr.Ganesh P. Phad, PSI, Dindoshi Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 5th March 2019

PC :

1. The applicants are apprehending arrest in CR No.85 of 2019 registered with Dindoshi Police Station, Mumbai for offences under Sections 498A, 376D, 406, 323, 504 r/w 34 of Indian Penal Code.

2. The applicant in ABA No.542 of 2019 and ABA No.544 of 2019 are brother-in-law of the complainant whereas applicant in ABA No.543 of 2019 is husband. The FIR was lodged on 19th February

2019. The applicants had preferred an application for anticipatory bail before Sessions Court, which was rejected. However, the application preferred by other accused was granted. The FIR was lodged against seven persons. The marriage of complainant was solemnized on 28th May 2017 with applicant in ABA No.543 of 2019. It is alleged that the complainant was harassed by the family of her husband. The relatives of her husband used to visit the matrimonial home of complainant on week ends and even they used to participate in the harassment. It is alleged that on 16th September 2017, the husband of complainant (applicant in ABA No.543 of 2019) had forceful physical relationship with the complainant and he was joined by applicant in ABA No.544 of 2019. The advocate for applicant submitted that the complainant had stayed with her husband in the matrimonial home for a period of about five months and thereafter she has left and started residing with her parents. Apparently it appears that the incident of sexual assault had occurred in September-2017. There is no complaint in respect to the said incident. The FIR has been lodged on 19th February 2019. The complainant has also alleged that ornaments belonging to her are retained by the accused. It is noted that the dispute arises out of matrimonial discord between parties. The FIR has been lodged against several persons.

3. Considering the above circumstances, custodial interrogation of the applicants is not necessary. They can be directed to attend the investigating officer and co-operate in the investigation.

4. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application Nos.542 of 2019, 543 of 2019 and 544 of 2019 are allowed and disposed off;
- (ii) In the event of arrest of applicants in these applications in connection with CR No.85 of 2019 registered with Dindoshi Police Station, they be released on bail on furnishing PR bond in the sum of Rs.20,000/- each with one or more sureties in the like amount;
- (iii) The applicants shall report the investigating officer of Dindoshi Police Station on 11th 12th and 13th March 2019 between 11 am and 1 pm and thereafter as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST