

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

ANTICIPATORY BAIL APPLICATION NO.748 OF 2019

Bharat Chandrakant Patil & Ors.	..	Applicants
Vs.		
State of Maharashtra	..	Respondent

Mr.Kedar J. Patil for the applicants.

Mr.Rajan Salvi, APP for respondent-State.

Mr.Mahendra R. Shelar, API, Khalapur Police Station, Raigad.

CORAM : P.N. DESHMUKH, J.

DATE : 27th March 2019

P.C.:

. Issue notice. Learned APP waives service for respondent-State. Investigating Officer is present. Perused case diary.

2. Learned counsel for applicants submitted that they are falsely implicated and since investigation is almost complete, he be protected by interim directions by imposing suitable conditions. It is further stated that though applicant no.1 is married to complainant in the year 2017 as per her report, she is alleged to be ill-treated by applicant and his family members within 3-4 months of her marriage, no report is lodged till 25th February 2019 wherein all applicants are falsely involved. It is therefore contended that pending investigation, applicants be protected from arrest.

3. Perusal of report would reveal involvement of applicant no.1 to have provided physical and mental ill-treatment to his wife and apart from allegation of assault, he is also alleged to have demanded flat and car from complainant's father and in November 2017 when complainant was pregnant, applicant no.1 got said pregnancy terminated, forcibly by administering her some pills by extending threats to complainant not to disclose said fact to anyone. It is also alleged that applicant no.1 had extra marital relation with one lady named Poonam Patil who is found staying in his room at Uran, Dist. Raigad.

4. Having considering applicant no.1's involvement as aforesaid and since involvements of applicant no.2, mother-in-law and applicant no.3, married sister-in-law of complainant are vague, application is partly allowed by imposing conditions as per following order :-

ORDER

- (i) Application of applicant no.1 husband stands rejected.
- (ii) In the event of arrest of applicant nos.2 and 3 in C.R. No.50 of 2019 registered with Khalapur Police Station for the offences punishable under Sections 498A, 323, 313 and 504, 506 read with 34 of IPC, they

shall be released on bail on their executing P.R. Bond in the sum of Rs.25,000/- each with one surety each in the like amount;

(iii) While on bail, both the applicants shall mark their presence with investigating officer for three days from 1st April 2019 between 11.00 a.m. to 1.00 noon and thereafter as and when called till the adjourned date and shall co-operate with investigation;

(iv) Applicant nos.2 and 3 shall not make any attempt to tamper with investigation;

(v) Application is disposed of in above terms.

P.N. DESHMUKH, J.