

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 768 OF 2019

Nilam Sachin Tikone	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Ranvir Shekhawat i/b. Raj Legal for Applicant.
Ms.J.S. Lohokare, A.P.P. for Respondent-State.
Mr.Koli, API, Mahatma Phule Chowk Police Station, Kalyan.

CORAM : A.S. GADKARI, J.

DATE : 29th March 2019.

P.C. :

1] The applicant is apprehending arrest in connection with C.R. No.I-228 of 2018 dated 31/05/2018 registered with Mahatma Phule Chowk Police Station, Kalyan, District Thane, for the offence punishable under Section 392 and 504 of the Indian Penal Code.

2] Heard the learned counsel for the applicant and the learned APP for the State. Perused the record of investigation.

3] The first information report is lodged by Mr.Dashrath Sukre.
It is the prosecution case that the applicant has filed

matrimonial dispute/divorce petition against her husband in the Civil Court at Kalyan. The informant is a maternal uncle of the husband of the applicant. It is alleged that on 30/05/2018 at about 6.45 pm when the informant had parked his auto-rickshaw at the place of offence, the applicant came there, wrecked up a quarrel and abused him. That the applicant also took away the keys of the auto-rickshaw and a mobile-phone from the hands of the informant. In the premise, present crime is registered on 31st May 2018 at about 15.33 pm.

4] The record indicates that on an earlier date i.e. 30th May 2018, the applicant herein had lodged a non-cognizable offence bearing No.1030 of 2018 against the uncle of her husband i.e. the informant in the present crime. It is stated in the said complaint that, the informant Dashrath Sukre had threatened her to withdraw the litigation instituted by her against her husband and also abused her.

5] In this background, the present crime is registered on 31st May 2018.

Prima-facie, it appears that the present crime as registered is an afterthought and also lodged with a view to help Mr.Sachin Tikone i.e. the husband of the applicant in the proceeding filed by the applicant.

6] In view of the above, the applicant is entitled to be protected by pre-arrest bail.

Hence, following order.

- (i) In the event of arrest in CR No. I-228 of 2018 registered with the Mahatma Phule Chowk Police Station, Kalyan, District Thane, the applicant shall be released on bail on her furnishing PR bond in the sum of Rs.15,000/- with one or two local sureties in the like amount.
- (ii) Applicant shall attend the Investigating Officer on 4th April 2019 and 5th April 2019 between 10:00 am to 12:00 noon and to join in the process of investigation. It is made clear the Investigating Officer or any other police personnel attached to said Police Station shall not detain the applicant beyond 12:00 noon in the Police Station.
- (iii) Applicant shall not tamper with the evidence and/or interfere with the process of investigation.
- (iv) Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]