

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

**ANTICIPATORY BAIL APPLICATION NO.730 OF 2017**

|                             |                 |
|-----------------------------|-----------------|
| Sumedh Yashwant Mohite      | ... Applicant   |
| Vs.                         |                 |
| State of Maharashtra & Ors. | ... Respondents |

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Mr.P.B. Singh, Advocate for the Applicant.  
Ms.A.A. Takalkar, APP for Respondent - State.  
Ms.Ameeta Kuttikrishnan, Advocate for Respondent No.3.

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

**DATE : JANUARY 31, 2019.**

**P.C.**

This is an application for anticipatory bail. Applicant was granted interim protection vide order dated 25<sup>th</sup> April, 2017. Applicant is apprehending arrest in connection with C.R.No.421 of 2016, registered with MIDC Police Station, Mumbai, filed under Sections 498-A, 323, 504 and 406 of Indian Penal Code ("IPC", for short).

2 First Information Report ("FIR", for short) was lodged on 27<sup>th</sup> August, 2016. The marriage between the applicant and the complainant was solemnized on 19<sup>th</sup> May, 2013. Learned counsel for the applicant submits that the applicant and the complainant had filed pursis vide Exhibit 14 before the Family Court at Bandra in Petition No.A-1813 of 2017, stating that they have settled the

dispute and they are residing together. In view of the pursis, the petition was disposed of, as withdrawn, vide order dated 8<sup>th</sup> September, 2018. Learned counsel for the applicant also tendered photocopy of the Consent Terms executed between the applicant and the complainant dated 11<sup>th</sup> July, 2018, indicating that they have decided to stay together.

3            Learned counsel for the applicant submits that even after Mediation, the applicant is harassing the complainant.

4            FIR was registered in 2016. Interim protection was granted to the applicant in April 2017. Admittedly, pursis was filed before the Family Court. Complainant would be at liberty to initiate appropriate proceedings. However, considering the aforesaid circumstances, custodial interrogation of the applicant is not necessary, and, hence, the interim protection granted to the applicant vide order dated 25<sup>th</sup> April, 2017, deserves to be confirmed.

5            Hence, I pass the following order:

**:: ORDER ::**

- (i) Anticipatory Bail Application No.730 of 2017, is allowed;

- (ii) Interim order dated 25<sup>th</sup> April, 2017, passed by this Court is hereby confirmed;
- (iii) In the event of arrest of the applicant in connection with C.R.No.421 of 2016, registered with MIDC Police Station, Mumbai, the applicant shall be released on bail on his furnishing P.R.Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iv) Applicant shall not tamper with the prosecution evidence;
- (v) Anticipatory Bail Application stands disposed of.

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