

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1213 OF 2019

1. Shri Ananda Kundlik Wagh,	]	
2. Shri Ramdas Pandurang Bhor.	]	... Applicants
Versus		
State of Maharashtra.	]	... Respondent

Mr. Sanjay P. Shinde for Applicants.
Mrs. Rutuja Ambekar, APP for State.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 07 JUNE, 2019

P. C. :-

1. The Applicants are seeking anticipatory bail in connection with C.R.No.421 of 2018 registered with Narayangaon Police Station, under Sections 143, 147, 149, 353, 332, 504 and 506 of the IPC and under Sections 110, 112 and 117 of the Maharashtra Police Act.

2. The FIR is lodged by Police Naik Priyanka Londhe. According to her, on 01/12/2018 at about 1.10 p.m., the police officers reached house of one Parag Waman because police had received information that in-laws of the Parag were creating trouble in their house and they were threatening Parag. When the police party reached there, they could see that the house was ransacked and the

window panes were broken. It is alleged in the FIR that there were 2 ladies – one of them was Parag's wife Gauri. She was known to the first informant as Gauri had approached the police station earlier. There were 4 men with Gauri. All of them prevented the police officers from performing their duty. They abused the police officers. They were brought to police station and even there they continued with their unruly behaviour. Therefore, this FIR was lodged under the afore-mentioned sections. The present Applicant No.1 is the maternal uncle of Gauri and the Applicant No.2 is her cousin.

3. I have heard Mr. Sanjay P. Shinde, learned Counsel for the Applicants and Ms. Rutuja Ambekar, learned APP for State.

4. Learned Counsel for the Applicants invited my attention to the two orders passed earlier by the Court of Sessions, Pune. Vide order dated 28/01/2019, the learned Additional Sessions Judge, Khed-Rajgurunagar, granted anticipatory bail to Gauri and her mother. Similarly, the same Judge, vide his order dated 28/01/2019, granted anticipatory bail to Govind and Akshay who were Gauri's father and brother respectively.

5. However, the present Applicants' anticipatory bail was rejected by the same Judge vide his order dated 20/05/2019. Perusal of the FIR reveals that there is absolutely no difference between the role assigned to Gauri's father Govind and brother Akshay and the role assigned to the present Applicants. The main allegations are against Gauri and her mother. Therefore, on the ground of parity, the Applicants also deserve the relief of anticipatory bail. Hence, the following order.

ORDER

- (i) In the event of their arrest in connection with C.R.No.421 of 2018 registered with Narayangaon Police Station, the Applicants be released on bail on their executing P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties each in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)