

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

ANTICIPATORY BAIL APPLICATION NO. 1306 OF 2019

Amit @ Naresh Sharad Salunkhe and Anr. ..Applicants

V/s

The State of Maharashtra ..Respondent

- Mr. Chetan Alai i/by Anup Lahoti,Advocates for the Applicants .
- Ms. S.S. Kaushik,APP for the State/Respondent.
- A.R.Karche PSI, Sinhagad Road Police Station present.

CORAM : SARANG V. KOTWAL, J.
DATE : 4th September, 2019

P.C. :

1. The applicants are seeking Anticipatory Bail in connection with C.R. No. 392/2019 registered at Sinhgad Road Police Station, District Pune under Sections 454,380,427 r/w 34 of IPC.

2. The offence is lodged by one Sheetal Salunke on 24/05/2019. Both the applicants are brothers in law of the informant i.e. brothers of deceased husband. Informant got married with Manoj Salunke in the year 2004. The couple was

not residing with the applicants and they were residing separately. After sometime all of them started living together. The applicant no. 2 was residing on the first floor of the same bungalow and Informant and her husband were residing on the ground floor. On 11/12/2016 informant's husband expired. The informant was having difficulty to look after her handicapped son because his school was at Dhayari and she had to attend her work at a distant place. Therefore she went to Sahakar Nagar to reside with her father. She used to visit her house at Dhayari on and off. On 24/05/2019 when she went to that house, she saw that her furniture was kept outside, lock was broken and some workers were working inside the flat. Her ornaments worth Rs. 3,000/- and cash of Rs. 4,000/- were missing. On this basis FIR was lodged.

3. Heard Mr. Chetan Alai, Ld. Counsel for the Applicants and Ms. Kaushik, Ld. APP for the State/Respondent.

4. The learned counsel for the Applicants stated that as on today possession of the house is restored and the

informant is residing there. The furniture was never taken away. Other allegations of taking away cash of Rs.4,000/- and ornaments worth Rs.3000/- are petty in nature for which custodial interrogation is not necessary.

5. Ms. Kaushik, Ld. APP accepted the fact that as on today informant is in possession of the house. She submitted that in case the Order granting anticipatory bail is passed, applicants be directed to attend Sinhgad Road Police Station.

6. I have considered these submissions. Dispute appears to be between family members. Grievance of the applicant is taken care of by restoring possession of the house to her. Custodial interrogation of the applicants is not necessary. As submitted by learned APP, the applicants are directed to attend Police Station. Hence, the following order.

ORDER

(i) In the event of their arrest in connection with C.R.No. 392/2019 registered at

Sinhgad Road Police Station, District Pune the Applicants be released on bail on their executing P.R. Bond in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

(ii) The Applicants shall attend Sinhgad Road Police Station from 19/9/2019 to 21/09/2019 between 01.00 to 03.00 p.m. and thereafter they shall attend the concerned Police Station as and when called.

(iii). Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)