

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1354 OF 2019

Minakshi Mahadev Doiphode & ors. .Applicants

Vs.

The State of Maharashtra .Respondent

Mr. Devendra S. Joshi, Advocate, for the Applicants
Mr. P. H. Gaikwad, APP, for the Respondent – State
Mr. D. V. Aware, API, Khadakpada Police Station, Kalyan present

CORAM : REVATI MOHITE DERE, J.

DATE : 11.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. I-84 of 2019 registered with the Khadakpada Police Station, Kalyan, District Thane, for the alleged offences punishable under Sections 395, 354, 504, 506, 324, 143, 147, 148 of the Indian Penal Code.

3. Learned counsel for the applicants submits that with respect to the incident dated 3rd March 2019, there is a cross FIR lodged by the applicant No. 1 as against the complainant in the present

C.R. He submits that infact, it is the complainant who started the quarrel and abused the applicant No. 1 and her family and even outraged the modesty and also abused in the name of the applicants' caste. Learned counsel submits that pursuant thereto, the applicant No. 1 has lodged a complaint which was registered vide C.R. No. I-85 of 2019 with the Khadakpada Police Station as against the complainant in the present C.R. and others for the alleged offence under Sections 143, 147, 148, 324, 354(B), 506, 394 of the Indian Penal Code and under Sections 3(1)(R), 3(1)(S), 3(1)(W)(1), 3(1)(W)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. Learned APP does not dispute the fact that the Applicants have attended the concerned police station, as directed by this Court while granting interim protection on 26.06.2019.

5. Perused the papers. It appears that with respect to the incident dated 03.03.2019, there are cross cases filed by the parties against each other. Even the Applicant No. 1 with respect to the incident dated 03.03.2019 has lodged a complaint alleging similar offences punishable under Sections 3(1)(R), 3(1)(S), 3(1)(W)(1), 3(1)(W)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)

Act. The injuries sustained by the Complainant in the present FIR are simple in nature. In the facts, custodial interrogation of the Applicants is not warranted.

6. Considering the aforesaid, the Application is allowed and the Applicants are granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicants be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 15,000/- each** with one or two sureties in the like amount;

(ii) The Applicants shall report to the investigating officer of the concerned police station **as & when called for** by the investigating officer;

(iii) The Applicants to cooperate with the investigation.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)