

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPTORY BAIL APPLICATION NO. 1669 OF 2019**

|                          |               |
|--------------------------|---------------|
| Jishan Bashir Ulade      | ...Applicant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

Mr. R. D. Suryawanshi for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

PSI Mr. V. P. Karde from Mumbra Police Station, Thane, is present

**CORAM : REVATI MOHITE DERE, J.**  
**WEDNESDAY, 18<sup>th</sup> SEPTEMBER 2019**

**P.C.**

1            Heard learned counsel for the applicant.

2            By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-189 of 2017 registered with the Mumbra Police Station, Thane, for the alleged offences punishable under Sections 498A, 406, 323, 504, 506 and 34 of the Indian Penal Code.

3            Learned counsel for the applicant submits that the applicant and the complainant are husband and wife and that the marriage between them took place on 20<sup>th</sup> February 2016. He submits that it is alleged by the complainant (wife of the applicant) that she was being harassed physically

and mentally by the applicant and his mother. Learned counsel for the applicant states that the applicant was in the Gulf for about 2 years, prior to the registration of the offence. Learned counsel, on instructions of the applicant, states that the applicant is ready to hand over all the items mentioned in clause (5) of the FIR dated 22<sup>nd</sup> April 2017. Learned counsel for the applicant submits that since the applicant does not have any gold items as mentioned in clauses (1) to (4) of the list, mentioned in the FIR, he has deposited Rs. 1,00,000/- (the value of the gold items), in the Registry of this Court, without prejudice to his rights and contentions. Learned counsel for the applicant further submits that the applicant has deposited the household articles in the Police Station, under a panchanama and has also handed over his passport to the Investigating Officer.

4            Learned A.P.P does not dispute the aforesaid. She states that the applicant has also reported to the Police Station, as directed.

5            In view of the aforesaid, the custodial interrogation of the applicant is not warranted. The application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

**ORDER**

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

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called;

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant is at liberty to apply for return of his passport, as and when the need arises.

6                      Application is disposed of in the aforesaid terms.

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

**REVATI MOHITE DERE, J.**