

nsc.

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

***ANTICIPATORY BAIL APPLICATION NO.1748 OF 2019***

|                      |               |
|----------------------|---------------|
| Kaish Mahmood Khan   | ...Applicant  |
| Versus               |               |
| State of Maharashtra | ...Respondent |

Mr.Vedchetan Patil, for the Applicant.

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

***CORAM : REVATI MOHITE DERE, J.***

***DATE : 9<sup>th</sup> AUGUST, 2019***

**P.C. :**

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No.I-170 of 2019, registered with the Bhoiwada Police Station, Thane, for the alleged offences punishable under Sections 377, 323 and 506 of the Indian Penal Code.
3. Perused the papers. The applicant is the husband of the

complainant. According to the complainant, the applicant after marriage committed the aforesaid offences against her. Learned Counsel for the applicant states that after the FIR was lodged on 7<sup>th</sup> May, 2019 a Memorandum of Understanding (M.O.U) dated 1<sup>st</sup> June, 2019, was entered into between the parties. He relied on the M.O.U. which is on page 33 of the application. He submits that the parties have amicably settled their dispute and that the parties intend to file a Petition seeking quashing of the case.

4. Be that as it may, in the facts, custodial interrogation of the applicant is not necessary. The application is accordingly 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 on 20<sup>th</sup> August, 2019 and 21<sup>st</sup> August, 2019, between 10.00 a.m. to 12.00 noon, and thereafter as and when called;

(iii) The applicant shall co-operate with the Investigating Agency.

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

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application.

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

***REVATI MOHITE DERE, J.***