

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION [ABA] NO.575 OF 2019

[Rahul s/o Rajendra Sable .vs. State of Maharashtra]

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Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

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Court's or Judge's orders

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Shri P.R. Agrawal, Advocate for the applicant,
Shri Amit Chutke, APP for the non-applicant.
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CORAM : MRS. SWAPNA JOSHI, J.

DATED : SEPTEMBER 17, 2019.

The application has filed by the applicant for grant of anticipatory bail apprehending his arrest in connection with Crime No.602/2019 dated 10.06.2019 whereby the offences under sections 498-A and 407 of the Indian Penal Code have been registered with Gadge Nagar Police Station, Amravati against the applicant, his parents and his unmarried sister.

The prayer made by the applicant herein for anticipatory bail was rejected by the learned Sessions Court, while granting the anticipatory bail to the parents and unmarried sister of the applicant.

The complainant has filed the complaint alleging that the applicant and the other accused persons harassed the complainant physically and mentally by demanding gold ornaments. It was alleged by the complainant that the applicant had mortgaged all her gold ornaments which were given by her parents in the marriage as 'stridhan'.

The learned advocate for the applicant contended that while granting ad-interim protection to the applicant, this court, vide order dated 16.08.2019, had directed the applicant to hand over the gold

ornaments claimed by the complainant as also the LED TV, washing machine and two wheeler as claimed by her within a period of one week. It is submitted that accordingly all those articles were handed over to the complainant on 01.09.2019. It is submitted that now the custodial interrogation of the applicant is not required as such and, therefore, the interim order dated 16.08.2019 may be confirmed.

The learned APP does not dispute the said position and submits that the articles returned by the applicant are handed over to the complainant by the investigating officer. It is submitted that accordingly the panchanama is prepared at the Gadge Nagar Police Station.

In view of the fact that already the applicant has returned all the articles to the complainant and as his custodial interrogation is not required so far in the present case and considering the nature of offence, order dated 16.08.2019 passed by this Court is hereby confirmed and the following order is passed :

ORDER

The applicant, in the event of arrest in Crime No.602/2019 registered at Police Station Gadge Nagar, District-Amravati, shall be released on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount. The applicant shall cooperate with the investigation and make himself available as and when required.

Criminal Application stands disposed of.

JUDGE