

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

CRIMINAL APPLICATION (ABA) NO.687/2019

Rajkiransingh Hanumansingh Baghel and ors

..VS..

State of Mah., thr. PSO PS Dhamangaon Rly., District Amravati

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

Court's or Judge's Order

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Shri A.A.Mardikar, Counsel for Applicants.
Shri N.B.Jawade, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : NOVEMBER 14, 2019.

1. Applicants are apprehending their arrest in connection with Crime No.147/2019 registered with Dhamangaon Police Station, District Amravati for offences punishable under Sections 420 and 506 read with Section 34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act, 1961.

2. Heard learned counsel Shri A.A.Mardikar for applicants and learned Additional Public Prosecutor Shri N.B.Jawade for the State. Also, perused reply filed on behalf of the prosecuting agency.

3. Crime was registered in view of report dated 21.9.2019 given by Sau.Jyoti Darasingh Thakur. As per the report, marriage of daughter of Jyoti was fixed with applicant No.2-Ankush. Applicant Nos.1 and 3 are parents of Ankush. Applicant No.4 is uncle of Ankush and applicant

No.5-Sau.Kiran is paternal aunt of Ankush.

4. According to the report, on 12.5.2019 engagement ceremony took place and in the said engagement ceremony it was decided that marriage will be performed on 17.6.2019. As per allegations, at the time of engagement, applicants demanded Rs.1.00 lac. In the report it is stated that a gold ring and some articles were given to applicant No.2. It is further stated in the report that on 21.5.2019, i.e. prior to the date of marriage, applicants demanded Activa Motorcycle or Rs.72,000/- in lieu of it. The First Information Report stated that Jyoti did not bagged said demands and, therefore, marriage did not perform on 17.6.2019.

5. Though the marriage could not be performed on 17.6.2019, as per allegations made by Jyoti since she did not fulfill demands, no step was taken by her for lodging of report and for the first time the report is lodged on 21.9.2019 without giving any plausible explanation which in my view has its own bearing at the time of consideration of application for pre-arrest bail.

6. On 10.10.2019, this Court granted *interim* protection to applicants with directions that applicant Nos.1, 2, and 4 shall attend police station and accordingly they attended police station from 15.10.2019 to 18.10.2019 and joined investigation.

7. In view of the factual conspectus, as discussed above, I am of opinion that present is the case wherein this Court should exercise its discretion in favour of present

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applicants. Hence, I pass following order:

ORDER

- (a) The criminal application is allowed.
- (b) In the event of arrest of applicant No.1-Rajkiransingh Hanumansingh Baghel; applicant No.2-Ankush Rajkiransingh Baghel; applicant No.3-Sau.Madhumala Rajkiransingh Baghel, applicant No.4-Pramod Hanumansingh Bagel @ Pratapsingh Umarosingh Tawar, and applicant No.5-Sau.Kiran Pratapsingh Tawar, in connection with Crime No.147/2019 registered with Dhamangaon Police Station, District Amravati for offences under Sections 420 and 506 read with Section 34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act, 1961, applicants be released on bail on they executing a P.R.Bond in the sum of Rs.10,000/- by each of them with one solvent surety of the like amount by each of them.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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