

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1707 OF 2019

Tayyab Subhan Shaikh	Applicant
v/s.	
The State of Maharashtra	Respondent

Mr. Salman Khan, Advocate for the applicant.

Mr. S.R. Agarkar, APP for the State.

API, V.S. Shirsat, Narpoli Police Station
present.Ms. Sana Tayyab Shaikh, original complainant
present.***CORAM : SANDEEP K. SHINDE, J.******Tuesday, 21st January, 2020.*****P.C. :**

1. Heard.
2. Applicant is the husband of the complainant. She is impleaded as respondent no.2. She is present in the Court. Learned APP has enquired with her in relation to the subject FIR lodged by her against the applicant for the offences punishable under Sections 498A, 494, 406, 423, 504, 506 read with Section 34 of the

Indian Penal Code.

3. Learned APP, on instructions, from the complainant submits that, she does not wish to prosecute the complaint. It appears, she had filed a private complainant bearing No. OMA-515/2019 against the applicant and others. However, the said complaint was subsequently withdrawn by her.

4. I have perused the FIR. Prima-facie, the allegations in the complaint are general in nature. Additionally, it appears, applicant's alleged affair with another women, led her to lodge the report with the Police. Besides, the applicant's other in-laws are also accused, but they have been released on bail.

5. In view of the facts of the case and the nature of accusations and the complainant's statement that she does not wish to prosecute the complaint, I pass the following order :

ORDER

(i) In the event of arrest of the applicant in C.R. No. I-372/2019 registered with Narpoli Police Station, he shall be released on bail in on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like sum.

(ii) The applicant shall attend the concerned Police Station as and when called.

(iii) The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today;

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

6. It is made clear that observations made hereinabove shall be construed as expression of

opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)