

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

920 ANTICIPATORY BAIL APPLICATION NO.1332 OF 2021

SHUBHAMKAR PRABHAKAR SAPKALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Madhav M. Bhokariker
APP for Respondents: Mr. V.S. Badakh.

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CORAM : PRAKASH D. NAIK J.

DATE : 16th NOVEMBER, 2021.

PER COURT:

1] This is an application for anticipatory bail. The applicant is apprehending arrest in connection with Crime No. 433 of 2021 registered at Jilla Peth Police Station, Dist. Jalgaon. The FIR was registered with Jilla Peth Police station, Dist. Jalgaon on 5.10.2021 under section 498-A of IPC.

2] The first informant is the wife of the applicant. According to her, the marriage was performed on 23.6.2020. The applicant was serving at Solapur. The complainant stayed with her in-laws. It is alleged that the accused had demanded money. The complainant was told to bring an amount of Rs. 10 lakhs for the purpose of purchasing house. Thereafter, the applicant demanded Rs. 20,000/- for the purpose of deposit for securing rental premises. The said amount has been transferred by the complainant in the account of the applicant. For a period of about 5 months prior to registration of FIR, the complainant is residing at her parental home. The applicant did not take her with him. Her educational documents are in possession of the applicant.

3] On perusal of the FIR, it can be seen that for a short span of time the applicant and complainant were residing together. Apparently, there is matrimonial discord between the parties.

4] The learned APP submitted that the complainant had transferred with amount of Rs. 20,000/- in the account of the applicant. She was ill-treated and harassed by the accused. The statements recorded during the course of investigation support the case of prosecution.

5] Other accused were granted anticipatory bail by the sessions court. Learned counsel for the applicant, on instructions, submitted that if there are any educational document belonging to the complainant at the residence of the applicant, he is willing to return it to the Investigating Officer. The applicant was granted interim protection by this court vide order dated 2.11.2021, with a direction report to the Jilla Peth police station. The learned counsel for applicant submitted that the direction to attend the police station has been complied. The applicant is working in the Railway department and posted at Kolhapur.

6] Considering the nature of allegations, the applicant need not be subjected to custodial interrogation. Interim protection granted by this court can be confirmed.

ORDER

[i] ABA No. 1332 of 2021 is allowed.

[ii] The interim order dated 2nd November, 2021 is confirmed.

[iii] In the event of arrest of the applicant in connection with Crime No. 433 of 2021 registered with Jilla Peth Police Station, District Jalgaon, the applicant be enlarged on bail on furnishing PR Bond in the sum of Rs. 25,000/-, with one or two sureties in the like amount.

[iv] The applicant shall appear before the I.O. as and when called for till filing of charge sheet.

[v] The application stands disposed of.

[PRAKASH D. NAIK]
JUDGE

GRT/-