

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.5 OF 2020

Pratik Mukesh Patel	Respondent
versus	
The State of Maharashtra	Respondent

WITH
INTERIM APPLICATION NO.156 OF 2020

Beena Prakash Patel	Intervenor
---------------------	------------

In the matter between :

Pratik Mukesh Patel	Respondent
versus	
The State of Maharashtra	Respondent

Mr.Shambhu M. Jha, Advocate for applicant in ABA.
None present for intervenor.
Ms.PP.Shinde, APP, for State.

CORAM : PRAKASH D. NAIK, J.
DATE : 18th September 2021

PC :

1. This is an application for anticipatory bail in connection with CR No.812 of 2019 registered with Shahupuri Police Station, District Kolhapur, for offences punishable under Sections 498(A), 354, 354(D), 499 and 500 of Indian Penal Code.

2. The marriage between the applicant and the complainant is solemnized on 15th March 2015. Apart from harassment, as alleged in the FIR, the primary grievance of the complainant is that the applicant had forwarded objectionable e-mails containing the messages against the complainant to various persons including the staff of the complainant and on the e-mail of the company. It is

alleged that the objectionable photographs were sent to one Sandipan Chatterjee and others.

3. The applicant was granted interim protection vide order dated 10-1-2020 which is in operation.

4. Learned counsel for applicant submitted that the parties have amicably settled the dispute and decree of divorce has been granted by Family Court. Learned counsel produced photocopy of the decree and judgment dated 9-2-2021 which reproduces the consent terms executed between parties. The consent terms indicate that the parties had also agreed to initiate proceedings for quashing the FIR. Learned counsel for applicant submitted that on account of lock lock down the proceedings could not be initiated.

5. In the light of the aforesaid factual aspects, interim order dated 10-1-2020 deserves to be confirmed. Hence I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim order dated 10-1-2020 is confirmed;
- (iii) In the event of arrest of applicant in CR No.812 of 2019 registered with Shahupuri Police Station, Kolhapur, the applicant be released on bail on executing PR bond in the sum of R.25,000/- with one or more sureties in the like amount;
- (iv) Interim Application is disposed of.

(PRAKASH D. NAIK, J.)