

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 48 OF 2018**

Ritu Hitendra Solanki nee

Ritu Kanaiyalal Jadhav

.. Applicant

Vs.

Hitendra Ashok Solanki & Ors.

.. Respondents

...

Mr. Diwakar Dwivedi a/w Pankaj Dwivedi, Advocate for  
Applicant.

Mr. S.R. Agarkar, A.P.P. for the State-Respondent.

PSI Vijay Jadhav Andheri Police Station present.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 14<sup>th</sup> SEPTEMBER, 2021**

**PC.**

1. The application is preferred by the original complainant who had lodged the FIR on 17.06.2017 vide C.R. No. 335 of 2017 for the offence under Sections 498A, 406, 313, 323, 504 read with 34 of Indian Penal Code.

2 The respondents had preferred application for anticipatory bail before the Court of Sessions at Dindoshi. The said application was allowed vide order dated 05.08.2017.

3 The case of the complainant is that after performance of the marriage with accused No.1 She had joined matrimonial home. She was repeatedly harassed. It is also alleged that there

was a demand of money from the complainant and for not fulfilling it, she was subjected to physical and mental cruelty. Stridhan of complainant was misappropriated by the accused. Her pregnancy was terminated without her consent.

4. Learned counsel for the applicant submitted that the offence is of serious nature. Specific overt act has been attributed to the respondent/accused. The ornaments belonging to the complainant were misappropriated. The applicant was mentally disturbed on account of cruelty caused to her and hence FIR was lodged in 2017. custodial interrogation of the respondent was required.

5. Learned APP has instructions submit that after grant of anticipatory bail, investigation proceeded and on completing investigation charge-sheet is filed. Charge has been framed against the accused.

6. The tenor of the FIR indicates that, there were dispute between the parties on account of matrimonial discord. Incident of termination of pregnancy has allegedly occurred in 2015. The FIR was lodged on 17.06.2017. I have perused the impugned order dated 05.08.2017. Learned Sessions Judge has taken into consideration the factual aspects and by assigning reasons the application for anticipatory bail was allowed. It is also pertinent to note that the charge-sheet is filed. Charge is framed. There is no infirmity in the impugned order.

**ORDER**

Criminal Application No.48 of 2018 is rejected and stand disposed of.

**(PRAKASH D. NAIK, J.)**