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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 202 OF 2019

Sanjay Mohanlal Rawal and others

....Applicants

V/s.

The State of Maharashtra and another

....Respondents

Mr. Raju D. Suryawanshi for Applicants

Ms. Sharmila S. Kaushik APP for the State

Mr. Vithal Chougule, PI, Virar Police Station

CORAM : NITIN W. SAMBRE, J.

DATE: JULY 6, 2021.

P.C.:

1] Investigating Officer on instructions informs the learned APP that custody of applicants is not warranted. Apart from above, it is noticed that this Court on 23/01/2019 has already granted Ad-interim protection in favour of accused persons i.e. Applicant nos. 1 & 2.

2] Though served, none appears for non applicant-complainant.

3] F.I.R. is also based on certain stale instances. It can be inferred from reading of the F.I.R. that there is matrimonial discord between complainant and applicants and I am informed by the learned counsel for the applicants that matrimonial proceedings are under Protection of Women from Domestic Violence Act, divorce proceedings are already pending before the Competent Court.

4] In that view of the matter, application stands disposed of with following conditions:

(i) In the event of arrest of applicants in C.R. 1106/2018 registered with Virar police station for offence punishable under Sections 498-A, 354-A 354-B, 370, 313, 323, 504, 506 r/w 34 of the Indian Penal Code, they be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount.

(ii) All the applicants are directed to appear before the Investigating Officer on 19/07/2021 at 10.00 a.m.

(iii) Applicants shall not tamper with evidence or influence the witnesses in any way.

[NITIN W. SAMBRE, J.]