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

CRIMINAL APPLICATION NO. 101 OF 2021

SHAHEENA BEGUM BABU SHAIKH APPLICANT

V/s.

**THE STATE OF MAHARASHTRA RESPONDENTS
AND ORS**

**Mr. Akshay R. Kapadia for the Applicant
Mr. M. G. Patil APP for the State**

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 3, 2021.

P.C.:

1] Heard. This is an application for cancellation of bail.

2] Sessions Court granted bail in C.R. No. 611/2019 registered with Ghatkopar Police Station for Offences punishable under Sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code and under Section 4 of Muslim Woman Protection Act thereby protecting respondent accused persons who are husband and in-laws of the applicant.

3] Prosecution story is, complainant second wife was treated cruelly and physically harassed.

4] I am informed that already proceedings under Domestic Violence Act are pending before competent Court at the behest of applicant. Apart from above, considering the provisions in the personal law by which applicants are governed, second marriage is not a taboo.

5] In the aforesaid background and having regard to the law laid down by the Apex Court in the matter of **Arnesh Kumar V/s. State of Bihar & Anr**¹, no case for bail is made out. Application stands rejected.

[NITIN W. SAMBRE, J.]

¹ [(2014) 8 SCC 273]