

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.451 OF 2021

Prakash Janardhan Shambharkar

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Rohan Hogale i/b. Mr. Anshul A. Sontakke, Advocate for the Applicant.

Mrs. M. R. Tidke, APP for the Respondent – State.

HC-Ganesh Namdeo Dhakare, Kashmirira Police Station.

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CORAM : PRAKASH D. NAIK, J.

DATE : 18th FEBRUARY, 2021.

PC :

1. This is an application for anticipatory bail in connection with C.R. No.I-960 of 2020, registered with Kashmirira Police Station, for the offences punishable under Sections 498A, 323, 504, 506, 427 r/w. 34 of Indian Penal Code, 1860 ("IPC" for short).

2. The marriage between the complainant and the applicant was performed on 17th April, 2019. It is alleged that the complainant was thereafter harassed by the husband and other in-laws. N. C. complaint was filed by the complainant under Sections 504 and 506 of IPC. It is also alleged that ornaments belonging to the complainant were taken away.

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3. The other accused were granted anticipatory bail by the Sessions Court. However, the relief was refused to the applicant. During the pendency of the application in Sessions Court, interim protection was granted. On several occasion applicant had appeared before the Investigating Officer, which is evident from the acknowledgment with regards to reporting annexed to the application.

4. Learned APP submitted that there are two eye witnesses to the incident of assault by the applicant to complainant. The said statements were recorded on 13th January, 2021. On perusal of the FIR, it is apparent that similar allegations were attributed to the mother of applicant. She has been granted anticipatory bail. Dispute is on account of matrimonial discord between parties. Custodial interrogation is not warranted.

5. Hence, I pass the following order.

ORDER

- (i) Anticipatory Bail Application No.451 of 2021, is allowed;
- (ii) In the event of arrest of applicant in connection with C.R. No.I-960 of 2020, registered with Kashimira Police Station, the applicant be released on bail on furnishing P. R. Bond

in the sum of Rs.25000/-(Rupees Twenty Five Thousand Only), with one or more sureties in the like amount;

(iii) The applicant shall appear before Investigating Officer as and when called for;

(iv) The application stands disposed of.

(PRAKASH D. NAIK, J.)