

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.605 OF 2021

Upendra Shatrughna Singh	Applicant
versus	
The State of Maharashtra	Respondent

Ms.Sandhya Nanavare for applicant.
Ms.M.R.Tidke, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th March 2021

PC :

1. This is an application for anticipatory bail in CR No.35 of 2021 registered with Kapurbawdi Police Station for offences under Sections 498-A, 406, 323, 500, 34 of Indian Penal Code. The FIR was lodged on 4th February 2021.

2. The applicant is the husband of complainant. It is alleged that the complainant's marriage with applicant was solemnized in 2019. She was harassed by accused. Demand of Rs.50 lakh was made on 7th January 2020. Her ornaments were misappropriated by the accused. On 21st February 2020 the complainant went to her parental home. Thereafter she was mentally tortured. In March-2020 she was thrown out of matrimonial house. The FIR was lodged on 4th February 2020.

3. The applicant and the co-accused preferred application for anticipatory bail before Sessions Court. Relief was not granted to the applicant, however, the parents and brother of applicant were granted anticipatory bail.

4. The contention of the applicant is that the FIR is false. The applicant had noted the objectionable behaviour of the complainant. He also noticed her text messages sent to some person. On 20th February 2020 the applicant had lodged complaint to Police about the conduct of complainant. The applicant had also filed petition for divorce before Family Court at Thane on 18th January 2020. In the divorce petition the applicant had stated that her belonging which are locked in bag are taken away by her. It is stated that there is no misappropriation of ornaments of the complainant by the applicants.

5. Learned APP stated that investigation is in progress. Role has been attributed against applicant in the FIR.

6. I have perused the FIR and other documents annexed to this application. As stated above, the applicant had lodged the complaint prior in point of time. He has also filed divorce petition before registration of FIR which is pending in Family Court. Considering the nature of allegations, custodial interrogation of the applicant is not necessary. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) In the event of arrest of applicant in connection with CR No. 35 of 2021 registered with Kapurbawdi Police Station, the applicant be released on bail on his executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Investigating Officer on 17th, 18th March 2021 between 11 am and 1 pm and thereafter as and when called for till filing of charge sheet;

(iv) The applicant shall not leave India without prior permission of Court.

7. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST