

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

CRIMINAL APPLICATION NO. 183 OF 2016

Nagma Ruksar Shamshad Ali Hasmi ... Applicant

Versus

Shamshad Ali Attaulla Hashmi And Anr. ... Respondents

**ALONG WITH
CRIMINAL APPLICATION NO. 184 OF 2016**

Nagma Ruksar Shamshad Ali Hasmi ... Applicant

Versus

Riyaz Attaulla Hashmi And Anr. ... Respondents

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None for the Applicants.

Mr. Y. Y. Dabake, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th AUGUST, 2021.

PER COURT:

1. In both these applications the applicant/original complainant has sought cancellation of anticipatory bail granted to respondent No.1 by the Court of learned Additional Sessions Judge, Dindoshi, Mumbai vide order dated 12th February, 2016.

2. The First Information Report (for short 'FIR') was registered vide C.R. No. 1 of 2016 for offences under Sections

498-A, 323, 328, 354, 406, 504 & 506(2) r/w Section 34 of Indian Penal Code. The respondent No.1 in both these applications preferred applications for anticipatory bail before the Court of learned Additional Sessions Judge which were allowed.

3. The complainant had alleged that her parents provided ornaments to the complainant. Thereafter, the complainant was subjected to harassment. She was assaulted and abused. N.C. complaint was lodged against her against the accused. The accused were used to insisting that the complainant should bring money from her parents. She was made to drink stupefying substance. There was sexual harassment from the accused. Hence, FIR was lodged on 6th January, 2016.

4. I have perused the documents on record and the impugned order dated 12th February, 2016 passed by the learned Additional Sessions Judge, Dindoshi, Mumbai granting anticipatory bail to the respondents.

5. The impugned order indicates that the learned Judge has granted anticipatory bail on certain conditions. It was also observed that the matrimonial dispute was going on between the complainant and accused since long. The incident of forcing the complainant to drink the liquid had occurred in the year 2013-14.

No complaint was filed immediately. There is no medical evidence to that effect. Custodial interrogation of the applicant is not necessary.

6. In the light of the facts of this case, there is no reason to interfere in the order granting anticipatory bail passed by the learned Additional Sessions Judge vide order dated 12th February, 2016. After granting of anticipatory bail, the period of about five years have lapsed.

ORDER

Criminal Application Nos. 183 of 2016 & 184 of 2016
are rejected and stand disposed of accordingly.

(PRAKASH D. NAIK, J.)