

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

ANTICIPATORY BAIL APPLICATION NO. 1058 OF 2021

Balu Sajaba Dhatrak

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. S.V. Marwadi i/b Prashant Aher, for the applicant.
Smt. A.A. Takalkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 9th APRIL, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 53 of 2021 registered at Vavi Police Station, Nashik Rural, on 17/02/2021 under sections 498A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. Heard Mr. S.V. Marwadi, learned counsel for the applicant and Smt. A.A. Takalkar, learned APP for the State.

3. At the outset learned APP raised an objection that the applicant has directly approached this Court, without approaching the Sessions Court in Nashik for similar relief.

4. Mr. Marwadi, learned Counsel for the applicant submitted that because of spread of pandemic, situation in Nashik is worse and therefore it is difficult for the applicant who is practicing advocate to travel to Nashik and make an arrangement for seeking anticipatory bail. Even the Investigating Officer would not be able to leave Nashik. In this extra ordinary situation, I am considering this application for a limited relief.

5. With the assistance of both learned Counsel, I have perused the papers. There are allegations made by the first informant Kavita Dhattrak that, she was married to one Sachin Dhattrak on 19/1/2014. The present applicant is brother of the informant's father in law. Besides, the main allegations against husband, mother in

law and sister in law, the allegations against the present applicant are that he was threatening the informant that she would not be given any share in the property of her in-laws.

6. I have considered these submissions. The applicant should approach the trial Court for similar relief. However, considering the extra ordinary situation, for a limited period I am granting protection to the applicant to enable him to approach before appropriate Court in Nashik. However, considering the lesser role attributed to the present applicant, today I am inclined to grant him protection for a few days.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No 53 of 2021 registered with Vavi Police Station, Nashik Rural, the Applicant is directed to be released on bail

for a period of three weeks from today, on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

- (ii) The Applicant is at liberty to approach the Sessions Court in Nashik for similar relief of anticipatory bail within this period of three weeks.
- (iii) If any such application for anticipatory bail is filed, that Court shall decide the application on merits in accordance with law without being influenced by this Order.
- (iv) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)