

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

ANTICIPATORY BAIL APPLICATION NO. 1506 OF 2021

1. Vijay Tuntunprasad Kharwar
2. Tuntunprasad Kamla Kharwar ... Applicants

Versus

The State of Maharashtra & Others ... Respondents

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Ms. Kirti H. Purohit, Advocate for the Applicants.

Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th JUNE, 2021

PER COURT:

1. This is an application for transit anticipatory bail in C.R. No.46 of 2021. The First Information Report (for short ‘FIR’) has been registered with Rawanwada Police Station, Chhindwara, Madhya Pradesh for offence under Section 498(A) of Indian Penal Code (for short “IPC”).

2. The applicant No.1 is the husband and applicant No.2 is father-in-law of complainant. Learned counsel for the applicants submitted that the notice under Section 41 has been forwarded to the applicants and there is apprehension of arrest. Applicant No.2 is senior citizen. On account of pandemic situation, the applicants would require sufficient time to approach the appropriate Court for

seeking appropriate relief. Hence, the applicants be protected by period of three months by granting relief under Section 438 of Cr.PC.

3. Learned APP submitted that notice issued under Section 41 doesn't refer to any apprehension of arrest. Relief for a period of three months may not be granted to the applicants.

4. I have perused the complaint. The FIR has been registered at the Police Station herein above. The applicants are residents of District Thane. To enable them to approach the appropriate Court, relief can be granted for temporary period.

ORDER

(i) Anticipatory Bail Application No. 1506 of 2021 is allowed and disposed of;

(ii) In the event of arrest of the applicants in connection with in C.R. No.46 of 2021 registered with Rawanwada Police Station, Chhindwara, Madhya Pradesh, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;

(iii) This relief is granted to the applicants for a period of four weeks to enable them to approach the appropriate Court for seeking appropriate relief.

(PRAKASH D. NAIK, J.)