

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1646 OF 2021

Praveen Harichandra Patil

Applicant

versus

The State of Maharashtra

Respondent

Mr.Ramesh Tiwari with Mr.Ashwin R.Singh, Advocate for applicant.
Mr.S.H.Yadav, APP, for Respondent-State.
PSI S.H.Kumbhar, Manpada Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th September 2021

PC :

1. This is an application for anticipatory bail in CR No.156 of 2021 registered with Manpada Police Station, Dombivali, for offences under Sections 498A, 377, 406, 323, 504, 506 r/2 34 of Indian Penal Code.

2. In the FIR dated 23rd March 2021 it is alleged that the marriage between the applicant and the complainant was performed on 9th March 2019. The applicant used to consume liquor and ill-treat the informant. The said fact was informed by the informant to his parents. The applicant-husband suddenly left the house and on enquiry with his friend it was revealed that he is having illicit relationship with a lady and he is residing with her. The family members of the applicant admitted his relationship. The applicant returned home. The informant was assaulted by him. The applicant was having unnatural sexual relationship with the informant.

Meeting was called to resolve the dispute. The applicant-husband refused to cohabit with her. He demanded money from the informant.

3. The applicant preferred application for anticipatory bail before Sessions Court. The application was rejected.

4. The FIR was registered against father-in-law, mother-in-law, applicant (husband) and others. The documents annexed to this application indicate that on several occasions the statements of the applicant were recorded. The tenor of the statement indicate that the parties had attempted to resolve the dispute. The statement also indicate that the applicant-husband is ready to cohabit but the wife (complainant) is not willing to join him. The applicant has agreed that he would not trouble her. The statements were recorded on 13th August 2019, 15th October 2019 and 22nd February 2021. In the statement dated 22nd February 2021 it is stated that attempts were made for amicable settlement and the parties were given time to think over and take decision. The applicant had stated that he is willing to cohabit with his wife but she is not interested and hence settlement could not be arrived at.

5. Taking into consideration the nature of allegations, custodial interrogation of the applicant is not required. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application No.1646 of 2021 is allowed;
- (ii) In the event of arrest of applicant in connection with CR

No.156 of 2021 registered with Manpada Police Station, Dombivali, District Thane, the applicant be released on bail on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

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

(iv) Anticipatory Bail Application N.1646 of 2021 stands disposed of accordingly.

(PRAKASH D. NAIK, J.)

MST