

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1226 OF 2019**

Umesh Aniruddh Tiwari

... Applicant

V/s.

1. The State of Maharashtra &

2. Mrs.Rakhi Umesh Tiwari

... Respondents

Mr. Shambhu M. Jha for Applicant.

Mrs.M.H. Mhatre, A.P.P for Respondent No.1-State.

Mr.Jigar Agarwal for Respondent No.2.

Mrs.Rakhi Umesh Tiwari, Respondent No.2 in-person.

CORAM : A.S. GADKARI, J.

DATE : 31st July 2021.

(Through Video Conferencing)

PC. :

1. By an Order dated 10th June 2019 the Applicant was granted interim relief.

2. Respondent No.2, Mrs.Rakhi Umesh Tiwari, appears in-person through Video Conferencing. Learned Advocate Mr.Shambhu Jha for the Applicant and learned Advocate Mr.Jigar Agarwal appearing for the Respondent No.2-intervenor identifies the Respondent No.2 as Mrs.Rakhi Umesh Tiwari.

The Respondent No.2 submitted before this Court that, she has settled the matter with the Applicant and she has no objection, if the interim

relief granted to the Applicant is confirmed. Upon a query put by this Court, she submitted that, she is making such a statement willingly and without any coercion or pressure from the Applicant.

3. Applicant and Respondent No.2 are husband and wife. Perusal of record indicates that, the Applicant and the Respondent No.2 were married about 17 years prior to the date of lodgment of the present crime. It appears that, the present crime is registered by the Respondent No.2 out of matrimonial discord. There is no need for custodial interrogation of the Applicant in the present crime.

In view of the fact that, the Respondent No.2 has now amicably settled the matter with the Applicant, this Court is of the opinion that, the interim relief granted by Order dated 10th June 2019 can be confirmed and is accordingly confirmed.

However, the condition to attend Investigating Officer of the concerned Police Station by the Applicant is waived.

4. Anticipatory Bail Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]

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