

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 2149 OF 2019

Anil Sampat Kandare .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Tarang Jagtiani i/b. Mr. Gaurav Parkar, Advocate, for the
Applicant

Ms Pallavi Dabholkar, APP, for the Respondent – State

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 06.08.2021

(THROUGH VIDEO CONFERENCING)

P. C.

. This is an Application filed under Section 438 of the Code of Criminal Procedure, 1973 by the aforesaid Applicant apprehending his arrest in Crime No. 713 of 2019 registered with the Mumbra Police Station for the offences punishable under Sections 498A, 406, 323, 504, 506 r/w. 34 of the Indian Penal Code.

2. The aforesaid crime was registered pursuant to the First Information Report lodged by the wife of the Applicant –

Lalita Kandare. The Applicant and the first informant were married on 21.04.2015. The first informant had alleged that the Applicant and his family members had subjected her to physical and mental cruelty.

3. There appears to be marital discord between the Applicant and the first informant resulting in filing of the proceedings under the Domestic Violence Act. Considering all these facts, this Court (Coram : Revati Mohite Dere, J.) by order dated 01.10.2019 had granted interim protection to the Applicant with direction to report to the investigating officer on the dates specified in the order. Learned APP states that the Applicant has complied with the said condition. She further states that investigation has been completed and the presence of the Applicant is not required for the purpose of custodial interrogation. She further states that charge-sheet is ready and the same will be filed within two weeks from today.

4. Considering the above facts and circumstances, the Application is allowed on the following terms and conditions :-

O R D E R

(i) In the event of arrest of the Applicant in C. R. No. 713 of 2019 registered with the Mumbra Police Station, he be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii) The Applicant shall furnish his current address and mobile contact numbers and / or change of residence or mobile details, if any, to the investigating officer;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)