

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2029 OF 2018

Yogesh Ramdas Kapadia ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

**ALONG WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1866 OF 2018**

1. Kashyap Yogesh Kapadia
2. Ankita Kashyap Kapadia
3. Bhadresh Ramdas Kapadia
4. Dipti Bhadresh Kapadia ... Applicants

Versus

The State of Maharashtra & Anr. ... Respondents

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Ms. Mallika Ingale, Advocate for the Applicants.

Mr. Akash Singh i/b. Mr. Ashok M. Saraogi, Advocate for Respondent No.2.

Ms. Anamika Malhotra, APP for the Respondent – State.

Mr. S. U. Wagh, P.S.I. Kandivali Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 16th FEBRUARY, 2021

PER COURT:

1. The applicant is apprehending arrest in connection with C.R. No. 415 of 2018 registered with Kandivali Police Station, Mumbai for offences under Sections 498-A, 323, 504, 506, 406 r/w Section 34 of Indian Penal Code.

2. The applicant in Anticipatory Bail Application No.2029 of 2018 is the husband of complainant and applicant No.1 & 2 in Anticipatory Bail Application No. 1866 of 2018, are son (from first wife) and daughter-in-law. Applicant No.3 is the brother-in-law of complainant and applicant No.4 is the wife of applicant No.3.

3. The complainant and her husband had performed second marriage. The marriage was solemnized on 14th December, 2010. The complainant has alleged that she was harassed by the accused. The applicant's husband has filed divorce petition which is pending in the concerned Court. The complainant had filed written statement on 13th February, 2017. Thereafter, the FIR was lodged on 11th August, 2018.

4. The applicant was granted interim protection by order dated 3rd October, 2018. The applicant has cooperated with the investigation. Considering the nature of dispute and the factual aspects of the matter, custodial interrogation of the applicants is not necessary. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application Nos. 2029 of 2018 & 1866 of 2018 are allowed;
- (ii) Interim order granted by this Court is hereby confirmed.

(iii) In the event of arrest of the applicants in connection with in C.R. No. 415 of 2018 registered with Kandivali Police Station, Mumbai, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount;

(iv) The applicants shall attend the investigating officer as and when called for.

(v) Anticipatory Bail Applications stand disposed of accordingly.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)