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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.326 OF 2022

WASHIM SHAIKH NOORA
VERSUS
THE STATE OF MAHARASHTRA

...

Mr N. D. Sonavane, Advocate for applicant;
Mrs. V. S. Choudhari, A.P.P. for respondent / State;
Mr G.R. Syed, Advocate to assist A.P.P.

CORAM : S. G. MEHARE, J.

DATE : 12th July, 2022

PC.

1. Heard the learned counsel for the applicant, the learned A.P.P. with Mr. Syed, learned counsel assisting the learned A.P.P.
2. It has been alleged against the applicant that he and his family members were illtreating the complainant/wife and demanding Rs.1 Lakh. She was physically and mentally harassed. She was given kick and blows on stomach when she was pregnant. She was aborted. She has suffered bleeding for 6 to 7 days. However, due to lock-down, her husband and in-laws did not take her to the hospital.
3. The learned Counsel for the applicant would submit that the complainant was never illtreated and her abortion was not due to the

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acts of the applicant. He treated the victim well but she was not interested to live peacefully in the home. The allegations of abortion and bleeding are absolutely false. The report is belated by around two years. Nothing is to be recovered and discovered from the applicant.

4. The learned A.P.P. has vehemently argued that the offence is serious. The complainant has suffered mental and physical trauma due to the acts of the applicant and his family members. She aborted due to the beating at the hands of the applicant. Even no medication was provided to her when she had bleeding. Therefore, the applicant is not entitled to anticipatory bail.

5. Perused the application. The incident is allegedly happened in the year 2020. The allegations of demanding Rs.1 Lakh have been leveled against the applicant. The allegations of having affair of the applicant with another girl have also been leveled against him. It seems that the relations between the applicant and the victim have paralyzed on the suspicion of having the relations of the applicant with another girl/woman. Having considered the allegations against the applicant, the State has no case of custodial interrogation against the applicant. The application, therefore, deserves to be allowed. Hence, the following order:-

i) The application is allowed.

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- ii) The interim protection granted to the applicant by the order of this Court dated 22.3.2022 is confirmed on the same terms of the bail bonds, however, the condition to attend the police station on Wednesday is withdrawn.

(S. G. MEHARE, J.)

amj