

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

**ANTICIPATORY BAIL APPLICATION NO.1144 OF 2022
WITH APPLN/2987/2022 IN ABA/1144/2022**

**ASHWINI MAHESH BHAMBARKAR
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Kasar Rajendra Sudam
APP for Respondent/State : Mr. S.B. Narwade
Advocate for the Complainant : Mr. N.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : 07th SEPTEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State with learned counsel Mr. Narwade for the complainant.
2. The facts of the case have been discussed in detail in the order dated 25.08.2022. The applicant is the wife of the complainant. They had matrimonial discord. She was driven out of the house; however, the false allegations have been levelled against her that she carried with her the ornaments offered to her in the marriage and a hard cash of Rs.2,35,000/- with the help of her mother.
3. Learned APP would submit that the complainant has supplied the information to the Investigating Officer by a letter dated 10.08.2022 explaining how the amount of Rs.2,50,000/- was kept in his home. He has explained that he has taken such a huge amount

which was out of the income of his mother, father and business, to his resident at Pune. He spent Rs.15,000/- and remaining amount of Rs.2,35,000/- was kept at home. The applicant and his mother took away the hard cash.

4. In fact, the report is given in detail which runs in pages. The father of the complainant is a policeman. So there may be a scope to believe that he might have been advised by his father to give the explanation how the amount was taken by him. In the age of electronics, people did not take risk to carry such a huge amount. Nowadays, most of the transactions are done through the electronic gadgets. So far as the ornaments are concerned, the prosecution has a case that those were offered to the applicant in marriage. So it is a *Stridhan* over which the applicant has a right. The case of the complainant that the applicant and her mother carried Rs.2,35,000/- from the house does not appear probable. It seems to be a pure matrimonial dispute. In the light of the facts and circumstances of the case, this Court is of the view that this is a fit case for anticipatory bail. Hence, the following order :

ORDER

(A) The Application is allowed.

(B) Interim protection granted to the applicant by order dated 25.08.2022 is confirmed on the same terms and conditions.

(3)

(C) Criminal Application No.2987 of 2022 is allowed.

(S.G. MEHARE, J.)

Mujaheed//