

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

ANTICIPATORY BAIL APPLICATION NO.1388 OF 2022

DIPAK SUKHDEO SALUNKE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Hemantkumar F. Pawar, Advocate for Applicant

Mr. A. V. Deshmukh, APP for Respondents – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 02nd DECEMBER, 2022

PER COURT :

1. Applicant apprehends arrest in Crime No.0604/2022, registered with Nandurbar City Police Station, Nandurbar, for offence punishable under Sections 354, 509, 323, 392, 504, 506(2) read with Section 120-B of the Indian Penal Code.

2. FIR is lodged against applicant and two unknown persons, one of them is a lady. It is alleged that informant is working as lady Police Constable (Bakkal No.1324) in Traffic Branch at Nandurbar. She was found Corona positive on 09/04/2021. On 12/04/2021, when she went to Civil Hospital, applicant was present there in RTO uniform. He asked informant her name. Then it is alleged that applicant outraged modesty of informant and the lady present there snatched golden chain of informant at the instance of applicant. Thereafter they both fled from the spot in a car.

3. Heard learned advocate for applicant, learned Additional Public Prosecutor for respondents – State. Perused the investigation papers.

4. It is necessary to note here that sister of the applicant has lodged FIR at Crime No.0088/2021, registered with Ramanand Police Station, Jalgaon, for offence punishable under Sections 498-A, 313, 420, 406, 323, 504, 506 read with 34 of the Indian Penal Code, against her in laws, wherein informant is named as one of the accused. Informant is granted anticipatory bail by this Court. *Prima facie*, present FIR appears to be lodged with a view to give counter blast to the FIR lodged at the instance of applicant's sister. There is a delay in lodging FIR. Applicant, who is serving in RTO Department had no reason to outrage modesty of informant and snatch golden ornaments from her.

5. Investigation appears to be almost complete. Co-accused who happens to be a lady advocate, is already granted anticipatory bail by Sessions Court. From the facts of present case, it appears that custodial interrogation and/or detention of the applicant is not necessary.

6. Application is, therefore, allowed by confirming interim order passed by this Court on 12/10/2022. Till filing of charge-

sheet, applicant shall attend concerned police station as and when called by Investigating Officer and shall not tamper with prosecution evidence.

(NITIN B. SURYAWANSHI, J.)

SVH