

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

ANTICIPATORY BAIL APPLICATION NO. 281 OF 2022

Ravindra Manjaya Poojari	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Ramprakash Pandey i/b. Niraj Prajapati for Applicant.
Mrs. J. S. Lohokare, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 4th FEBRUARY 2022
(through Video Conferencing)

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 449 of 2021 registered at Navghar Police Station, on 30/06/2021, under sections 498-A, 406, 354-A, 323, 504 and 506 r/w. 34 of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Ramprakash Pandey, learned counsel for the applicant and Mrs. Lohokare, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by the applicant's wife. She has stated that, she had got married with the applicant on 21/02/2011. At that time, the

informant was told that her sister in law was yet to get married. However, when the informant started residing at her matrimonial house, her sister in law's husband used to frequently visit the informant's matrimonial house. The informant was told that, the marriage of her sister in law was not acceptable by her husband's family and, therefore, she was residing in the house of the informant and applicant. The applicant had night shift duty and, therefore, the informant had to sleep in the hall and their room was occupied by her sister in law and her husband. When the informant raised this issue with the applicant, he did not support the informant, instead beat her.

4. In 2012, the informant delivered her daughter, but the applicant did not allow the informant to go to her parent's house. There are allegations that, in 2013 the informant saw some pornographic material in the applicant's phone. She did not like applicant keeping such videos. There were some messages exchanged between the applicant and one unknown lady. The applicant told the informant that there was nothing serious.

5. In 2014, the informant's sister in law ended her

relations with her husband and her another friend started coming to her house. He used to pass objectionable remarks against the informant and used to make indacent advances. In 2020, the informant and the applicant had gone to a temple. At that time, one unknown girl had smiled at the applicant. The informant questioned him. At that time, the applicant had abused the informant. In that regard, the informant had lodged an N.C. No. 269 of 2020 at Navghar police station. There are further allegations that the mother in law and sister in law of the informant used to bring one person to their house who used to do some rituals. The informant used to get scared. Ultimately, getting fed up, the informant went back to her parental house and lodged this F.I.R. She claimed that her stridhan of Rs.2,20,000/- is still lying with the applicant.

6. Learned counsel for the applicant submitted that the allegations against the applicant are false. The similar allegations are directed against others who are already granted anticipatory bail. The allegations fall short of the requirement of section 498-A of the IPC. The applicant has co-operated with the investigation

and, therefore, anticipatory bail should be granted to him.

7. Learned APP relied on the contents of the F.I.R., but she fairly stated that the applicant has attended the concerned police station and has co-operated with the investigation, except producing the stridhan.

8. I have considered these submissions. As can be seen from the narration in the F.I.R., main allegations are against the mother in law and sister in law of the informant. Other allegations are against the friend of sister in law. So far as, allegations against the present applicant are concerned, they are related to the year 2012-13, therefore, those incidents are quite old. Later on, in the year 2020, one unknown girl had smiled at the applicant, to which, the informant had objected. In that behalf, there was some quarrel and the informant had lodged her N.C. complaint. At that time, the informant had not made any grievance against the applicant in respect of ingredients of Section 498-A of IPC. In this view of the matter, the applicant's custody will not serve any purpose. The applicant has co-operated with the investigation, as stated by learned APP. Therefore, the applicant can be protected by

an order of anticipatory bail.

9. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No. 449 of 2021 registered at Navghar Police Station, the applicant is directed to be released on bail on his furnishing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)