

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.518 OF 2022**

Avinsash Rajaram Chavan .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Sumit S. Kothari for the applicant.

Mr. P.H. Gaikwad, A.P.P. for the State.

Mr. Arjun Pawar, API attached with Amala Police Station is present in the court.

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CORAM: SMT. BHARATI DANGRE, J.

DATED : 01ST MARCH, 2022.

P.C:-

1. Perusal of the complaint filed by the wife, aged 34 years, on 17/09/2021 with Arnala Police Station, Palghar would disclose that she is married to the present applicant on 27/12/2010 and the couple has a son, who is aged 12 years approximately, as on date. The lengthy complaint would reflect the wear and tear of the marital life and, several instances are

referred to, ranging for the period of 2010 upto the filing of the complaint. On two occasions, a NC came to be registered and one NC refer to an incident dated 30/08/2021, when some scuffle ensued between the couple since she was late in packing the lunch and, when she was in the kitchen, chopping tomato with the knife, she sustained an injury on the left hand and the injury certificate to that effect is compiled in the papers of investigation, on the basis of which, the NC has been registered.

2. The discord is also on account of demand of an amount of Rs.5 lakhs. The complaint vaguely mentions that from the year 2010 to 30/08/2021, while the complainant was residing with her husband, a demand was made of Rs.5 lakhs and, on failure to satisfy the amount, she was subjected to physical and mental harassment. The aforesaid allegations resulted into registration of the present C.R. bearing No.294 of 2021, invoking Sections 498-A, 337, 338, 323, 504 and 506 of the IPC.

3. On perusal of the complaint and the papers pertaining to the earlier NCs, in my considered opinion, no custodial interrogation of the applicant is warranted in the present case, since the period of marital life between the parties is for over a decade and if the complaint of harassment is made in 2021, after lapse of almost ten years, but the applicant is expected to render all co-operation to the Investigating Officer in completion of investigation. Hence, the following order:

ORDER

- (a) In the event of arrest, the applicant – **Avinash Rajaram Chavan** shall be released on bail in C.R. No.294 of 2021 registered with Arnala Police Station, District Palghar, on executing P.R. bond to the extent of Rs.25,000/- and furnishing one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case and shall not tamper with prosecution evidence.
- (c) The applicant shall report to the Arnala Police Station, Dist. Palghar on every Monday and Thursday for four weeks between 10.00 a.m. and 2.00 p.m. and, thereafter, as and when required by the Investigating Officer.
4. The bail application is allowed in the aforestated terms.
5. All parties are directed to act on the downloaded copy of the order supplied by the advocate under his seal and signature.

[SMT. BHARATI DANGRE, J.]