

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.541 OF 2022

Pratiksha Rajbhoj & Ors. .. Applicants

Vs.

The State of Maharashtra .. Respondent

...

Mr. Kishor Ajetroa with Mr. Vishal Bhoir for the applicants.

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

...

CORAM: SMT. BHARATI DANGRE, J.

DATED : 01ST MARCH, 2022.

P.C:-

1. The present applicant Nos.1 to 3 are arraigned as accused in the FIR in question whereas, applicant No.4 is apprehending his arrest out of a dispute in the neighbour-hood.

2. The complainant - Shruti Narangikar approached the Manpada Police Station and got C.R. No.0369 of 2021 registered on 15/07/2021 at 9.01 a.m. The complainant, after giving the details of her family, stated that she is residing in a building, where the applicant No.2 is also residing with her family, and on

14/07/2021, some quibble occurred between applicant Nos.1, 2, 3 and one Akash Rajbhor and the complainant, which resulted in a NC being registered with the Manpada Police Station under Sections 354, 323, 143, 147, 149, 504 and 506 of the IPC.

3. It is alleged in the complaint that in the evening, when she approached applicant No.1 in order to seek an explanation about the happenings in the afternoon, she was abused and it is alleged that the three applicants ran towards her and slapped her. Allegations are levelled against their brother Akash Rajbhor of outraging her modesty. Reference is also made to two unknown persons along with one Kajal Kadlag, who slapped her husband and caused injury to his eye. This complaint is the cause of registration of C.R. No.0369 of 2021.

4. Another set of complaint is FIR No.0368, which is lodged at an earlier point of time i.e. 4.49 a.m. on the very same day i.e. on 15/07/2021 with the same police station on the complaint filed by Ms. Pratiksha (applicant No.1), against an unknown person. She referred to an incident dated 14/07/2021, which occurred at 3.30 p.m. and proceed to state that some quarrel ensued between the two residents of the flats on the top floor being Namrita Marathe and Shruti Narangekar, who abused the complainant, which resulted in making reference to the Manpada Police Station and when they returned home, at 8.00 p.m., it is alleged that three male persons and one female person were

abusing them and an unknown women pulled her out of the house and assaulted. This resulted in registration of C.R. No.0368 of 2021 under Sections 323, 354, 143, 147, 149, 504 and 506 of the IPC.

5. Perusal of the two complaints, which are cross-complaints, would reveal that on account of some trivial cause, the incident had taken place, where the allegations are levelled against the present applicants about they verbally abusing the complainant.

6. The aforesaid accusations do not require custodial interrogation of applicant Nos.1, 2 and 3 and applicant No.4 is, the husband of applicant No.3. He is also apprehending his arrest, since the FIR refer to an unknown person. In the wake of the aforesaid, the applicants are entitled for protection from their arrest. Hence, the following order :

ORDER

- (a) In the event of arrest, the applicants – (1) Pratiksha Rajbhoj, (2) Kajol Vinayak Kadlag, (3) Shila Santosh Rajbhoj and (4) Vinayak Padharinath Kadalag, shall be released on bail in C.R. No.0369 of 2021 registered with Manpada Police Station, District Thane on executing P.R. bond to the extent of Rs.25,000/- each and

furnishing one or two sureties of the like amount.

- (b) The applicants 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 applicants shall report to the Manpada Police Station as and when required by the Investigating Officer and co-operate with the investigation.

7. The anticipatory bail application is allowed in the aforestated terms.

8. 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.]