

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

ANTICIPATORY BAIL APPLICATION NO. 553 OF 2022

1) Smt. Lila Devi Chotelal Yadav

2) Shri. Lala Chotelal Yadav @
Chandrashekar Chotelal Yadav

3) Smt. Suman w/o. Lala Yadav

4) Shri. Naresh Chotelal Yadav

5) Smt. Kiran Naresh Yadav

.... Applicants

v/s.

The State of Maharashtra

.... Respondent

Mr. Sunil Kumar a/w. Mr. Jitendra Yadav with Mr. Rohit U.
Upadhyay i/b. M/s. Kumar Associates for the Applicants.
Mrs. M.M. Deshmukh, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th MARCH, 2022.

P. C. :-

1. This is an Application under Section 438 of Cr.P.C. filed by the aforesaid Applicants apprehending their arrest in C.R.No.09/2018 registered with D.N. Nagar Police Station for offences punishable under sections 323, 406, 498A, 504, 506(II) r/w. 34 of the Indian Penal Code.

2. Heard Mr. Sunil Kumar, learned counsel for the Applicants and Ms.M.M. Deshmukh, learned APP for the State. I have perused the

records and considered the submissions advanced by the learned counsel for the respective parties.

3. The crime against the present Applicants and the co-accused was registered pursuant to the first information report lodged by Vandana Suresh Yadav, the daughter-in-law of these Applicants. The FIR prima facie indicates that the complainant was married to the co-accused – Suresh Yadav, the son of these Applicants on 13/11/2017. The FIR reveals that it was a love marriage and they knew each other for about six years prior to their marriage. Under such circumstances, prima facie, the allegations of demand of dowry on the very next date of marriage and cruelty for not meeting their demands raise a reasonable doubt. Apparently, the case emanates from matrimonial dispute. Several proceedings are filed by the parties against each other. The records also indicate that the husband of the Applicant has already been released on pre-arrest bail on similar grounds. There is no reason to treat these Applicants differently.

4. Considering the above facts and circumstances, in my considered view, this is not a case for custodial interrogation. The Applicants are the residents of Mumbai. There is no possibility of these Applicants

absconding or thwarting the course of justice. Hence, the Anticipatory Bail Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicants in C.R.No.09/2018 registered at registered with D.N. Nagar Police Station, they shall be released on bail on furnishing bail bonds in the sum of Rs.20,000/- each (Rupees Twenty Thousand each) with one or two sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer for three days from 21/03/2022 between 11:00 a.m. to 02:00 p.m.

(c) The Applicants shall not interfere with the first informant and other witnesses in any manner.

(d) The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application stands disposed of.

**PREETI
H JAYANI**

Digitally signed by
PREETI H JAYANI
Date: 2022.03.21
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(SMT. ANUJA PRABHUDESSAI, J.)