

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.877 OF 2022

Tanuja Jeevak Ghadge & Anr.] ... Applicants

Vs.

The State of Maharashtra] ... Respondent

...

Mr. Ali Abbas Delhiwala with Mr. Gouresh C. Mogre for the applicants.

Mr. S.V. Gavand, A.P.P. for the State.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 06TH JUNE, 2022.

P.C.:-

1. The applicants are admitted to ad-interim protection in connection with C.R. No.775 of 2021 registered with Mahatma Phule Chowk Police Station, District Thane, which invokes Sections 392, 354, 504, 506 read with Section 34 of the IPC.

2. While admitting the applicants to ad-interim protection, this court has specifically made a reference to the previous dispute between the parties and the fact that applicant No.1 has

also lodged a cross-complaint being C.R. No.767 of 2021 against the complainant. Considering the material available on record, ad-interim relief was granted to the applicants.

3. The applicants were directed to report to the Investigating Officer and learned A.P.P. states that they had abided by the said direction and have also co-operated with the Investigating Officer. However, learned A.P.P. invites my attention to the allegation and, to be specific, that there is already a cross-complaint filed by applicant No.1 and a further important fact that on the very same day on which the alleged incident took place i.e. on 07/08/2021, a non-cognizable offence was filed by one Premshankar Bhat, the owner of Sarth Hospital, where she is employed. The immediate reporting of the incident by the said gentleman, however, did not make any reference to an act constituting offence u/s.354 and 504 as well as Section 392 of the IPC, the allegation being about her chain being snatched away. The first hand and immediate reporting of the incident specifically does not refer to any accusations which would warrant involvement of the applicants under Sections 392 and 354, both being non-bailable offences. The FIR lodged by the complainant is at a belated stage on 26/11/2021 and, therefore, learned counsel for the applicants would submit that it is by way of an afterthought. In any case, since the applicants have already co-operated with the Investigating Officer, I deem it appropriate to confirm the ad-

interim order subject to the only modification that the applicants shall report to the Investigating Officer as and when called for.

4. The application is disposed off.

[SMT. BHARATI DANGRE, J.]