

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.991 OF 2022

Vikas Vinod Sharma ...Applicant
vs.
The State of Maharashtra ...Respondent
Mr. Kamlesh Jain i/b. Mr. Vipulkumar Jain, for the Applicant
Smt. J.S. Lohkare, APP for the State.

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CORAM : N. J. JAMADAR, J.
DATE : JUNE 15, 2022

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred for pre arrest bail in connection with a C.R. No. 366 of 2021 registered with Khargar police station for the offences punishable under sections 323, 498A, 504 and 506 of the Indian Penal Code, 1860.
3. Ms. Renu Sharma (first informant) lodged report against the applicant and his parents with the allegations that the applicant and his relatives subjected her to cruelty in order to coerce her to meet an unlawful demand of property.
4. By an order dated 7th April, 2022 the learned Additional Sessions Judge, Panvel, Raigad was persuaded to allow the application for pre arrest bail of the parents of the applicant and

reject the prayer of the applicant. When this application was listed before this Court on 13th April, 2022 this Court granted interim pre arrest bail.

5. The learned counsel for the applicant submitted that the allegations against the applicant are of general and omnibus nature. The allegations of criminal breach of trust of the amount which was allegedly given at the time of marriage are inherently improbable. The learned counsel also invited the attention of the Court to the written complaint of the first informant dated 5th January, 2020 wherein the allegations as regards the demand and acceptance of the amount by the applicant and his relatives are at variance from those in the first information report. Since the applicant has been roped in on account of marital discord, the interim protection of the applicant be made absolute, urged learned counsel for the applicant.

6. The learned APP, on the other hand, invited the attention of the Court to the allegations in the first information report wherein specific role of harassment has been attributed to the applicant.

7. I have carefully perused the allegations in the first information report. I find substance in the submissions of the applicant that, prima facie, allegations appear to be general and omnibus in nature. The gravamen of indictment against the

applicant and his relatives that they had demanded and accepted a sum of Rs. 20 lakhs and 30 gm. gold, lacks the requisite particulars so as to gain credence. In any event, having regard to the nature of the offences, the custodial interrogation of the applicant does not seem warranted. I am, therefore, persuaded to confirm the order of pre arrest bail. Hence, the following order.

ORDER

- 1] The application stands allowed.
- 2] The order dated 13th April, 2022 stands confirmed on the same terms and conditions.
- 3] The applicant shall report to the investigating officer as and when directed.
- 4] The applicant shall regularly attend the proceedings before the jurisdiction Magistrate.

(N. J. JAMADAR, J.)