

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

ANTICIPATORY BAIL APPLICATION NO. 1346 OF 2021

Prashant Hindurao Yadav	 Applicant
v/s.	
The State of Maharashtra and anr.	 Respondents

Mr. Prashant Pandey with Ms. Vidhi Karia i/b.
W3Legal LLP for the Applicant.
Mr. M.G. Patil, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 12th APRIL, 2022.

P. C. :-

. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicant for pre-arrest bail in C.R.No.73/2021 registered at Turbhe Police Station for offences punishable under sections 498A, 323, 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Prashant Pandey, learned counsel for the Applicant and Mr. M.G. Patil, 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 aforesaid crime was registered pursuant to the First

Information Report (FIR) lodged by Ashwini Yadav, the wife of the Applicant herein. The marriage of the Applicant and the complainant was solemnized on 28/11/2017. The complainant has alleged that the Applicant and his family members started harassing her and subjected her to cruelty over several issues. The allegations of cruelty are in respect of the incident from 28/11/2018 to 20/10/2019. It is stated that the complainant left the matrimonial home on 05/03/2019 and that the Applicant herein had filed divorce proceedings in the year 2019. The FIR is lodged in the year 2021 which prima facie appears to be a counter blast to the divorce proceedings filed by the Applicant. Furthermore, the allegations in the FIR are stale and remote in point of time. The complainant had also made general allegations not only against the Applicant but against all family members of the Applicant.

4. Considering the nature of the accusations, this Court (Coram : Sandeep K. Shinde, J.) had granted interim bail to the Applicant on 04/06/2021. Learned counsel for the Applicant states that the Applicant had reported to the Investigating Officer and that he has been duly interrogated. Considering the above facts and circumstances, this is not a case which would justify custodial interrogation. Hence, the Anticipatory Bail Application is allowed on following terms and

conditions :-

(a) In the event of arrest of the Applicant in C.R.No.73/2021 registered at Turbhe Police Station, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall keep the Investigating Officer informed of his 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**

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PREETI H JAYANI
Date: 2022.04.13
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(SMT. ANUJA PRABHUDESSAI, J.)