

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

**ANTICIPATORY BAIL APPLICATION NO.1441 OF 2022
WITH
INTERIM APPLICATION NO.1720 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.1441 OF 2022**

Akbar Kadir Shaikh

... Applicant

versus

The State of Maharashtra

... Respondent

Mr. Jitendra P. Gaikwad for the Applicant.

Ms Geeta P. Mulekar, APP, for State.

Mr. Ghansham S. Jadhav, for Intervener.

CORAM : NITIN W. SAMBRE, J.

DATED : 23rd September, 2022

P.C.:

1. Heard.
2. The applicant is seeking pre-arrest bail in crime no. 203 of 2022 registered with Baramati City police station for the offence punishable under section 498A, 504, 506 and 377 of IPC.
3. It appears that on 06/06/2022 the applicant is granted interim protection.
4. It appears that the complainant was married with the applicant on 31/03/2018 and are blessed with a son.
5. The complainant herself is also a lady police constable.
6. Out of the matrimonial discord already matrimonial

proceedings are pending for consideration.

7. No allegations in FIR are in relation to the commission of the offence u/s 377 of IPC. The same was never the case of the complainant in the pending matrimonial proceedings. It is only by way of after thought that in the FIR, reference is made to the Act which is punishable u/s 377 of IPC.

8. That being so, case for confirmation of ad-interim protection is made out.

9. In the event of arrest of applicant in crime no. 203 of 2022 registered with Baramati City police station for the offence punishable under section 498A, 504, 506 and 377 of IPC, applicant be released on bail on furnishing P.R. bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

10. The applicant shall attend the Investigating Officer as and when directed.

11. The applicant shall neither tamper with evidence nor influence the witnesses in any way.

12. The anticipatory bail application stands disposed of. In view of the disposal of the anticipatory bail application, the interim application also stand disposed of.

(NITIN W. SAMBRE, J.)