

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1750 OF 2022**

Pravin Samadhan Bhatkar .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Sanjay Singh for the applicant.
Mrs. Rutuja Ambekar, APP for the State.
PSI B.D. Chavan from Sakinaka police station present.

**CORAM: BHARATI DANGRE, J.
DATED : 30th JUNE, 2022**

P.C:-

1 The present C.R is an outcome of the discord between the complainant and the present applicant and it arises out of a relationship which they shared from the year 2015.

On the basis of the complaint filed by the complainant in Saki Naka police station, Section 498A, 494, 377, 504, 506, 322, 406 IPC is invoked, the time of occurrence of the offence is alleged to be from 10/6/2015 to 7/1/2022 and the FIR being lodged on 7/5/2022. A careful reading of the complaint would reveal that the complainant shared intimate relationship with the applicant since 2015, and she state that there was a love

affair between them. A marriage was performed between the two on 27/7/2018 and it is alleged that the applicant cohabited with her in her mother's house. The complainant further narrate that before performance of the marriage and even after marriage, the applicant used to demand money from her and she has parted with a sum of Rs.6,50,000/- which is acknowledged with her. She refer to an incident of 2016 when complainant purchased a car. She was made to obtain loan but he failed to pay the EMI. In the year 2018 also, she reported to the police station, alleging that he assaulted her when she demanded the money back.

In the remaining portion of the complaint, she has referred to extra-marital affair of the applicant with many women and one of whom have been specifically named by her with an allegation that without divorcing her, he got married to the said woman. She therefore, alleged that he has in a habit of indulging into affair with different women and extorting money from them.

3 The learned counsel for the applicant state that as far as the complainant is concerned, when the marriage took place, she was not divorced from her first husband and in fact, the very marriage itself, is illegal. He admit that he is already married to some other woman and that is why the complaint is filed.

4 In the wake of the accusations faced, since it can be seen that they are vague in nature spread over for a period of almost 7 years and the allegation as regards Section 377 is

vaguely described along with the allegation of Section 498A, the custodial interrogation of the applicant is not warranted. Hence the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Pravin Samadhan Bhatkar in connection with C.R.No.1055/2022 registered with Saki Naka police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
 - (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
 - (c) The Applicant shall report to the concerned police station every Friday and Saturday between 2.00 pm to 5.00 pm for a period of two weeks and thereafter as and when directed.
- Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)