

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2465 OF 2022

Adam Abdulsab @ A. Rahiman Mulla

...Applicant

V/s.

1. The State of Maharashtra

2. Simran Adam Mulla

...Respondents

Mr. Ujwal Agandsurve, for the Applicant.

Mr. V.B. Konde-Deshmukh, APP, for Respondent No. 1.

Mr. Drupad S. Patil, for Respondent No. 2.

CORAM : N.R. BORKAR, J.

DATE : 29.11.2022.

PC. :

1. This is an application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 44 of 2022 registered at Salgar Vasti Police Station, Solapur for the offences punishable under Sections 498-A, 328, 324, 504, 506 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

4. The marriage of the complainant was solemnized with the present applicant on 15/11/2019. According to the complainant, she was subjected to cruelty. According to her on 12/08/2021, the present applicant and other co-accused administered her insecticide.

5. The learned counsel for the applicant submits that there is delay in lodging the FIR. It is submitted that the complaint came to be lodged only after filing of a petition for divorce by the applicant. The learned counsel for the applicant submits that there is no need of custodial interrogation as nothing is to be recovered at the instance of present applicant. It is submitted that considering the facts and circumstances, the applicant may be released on anticipatory bail.

6. On the other hand, the learned APP for the respondent/State submits that the present applicant and other co-accused ill-treated the complainant on account of demand of money. It is submitted that the present applicant and other co-accused tried to kill the complainant by forcibly administering insecticide. It is submitted that considering the nature of allegation, the applicant may not be released on anticipatory bail.

7. I have perused the charge-sheet. There is material on record in relation to alleged incident in which the complainant was administered insecticide. Considering nature of allegations against the present applicant, I am not inclined to release the applicant on anticipatory bail. In the result, the following order is passed:

ORDER

A] The Anticipatory Bail Application is rejected.

[N.R.BORKAR, J.]