

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3190 OF 2022

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SALAUDDIN RAJAN @ ROJAMOHAMAD
ANSARI

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. V. V. Purwant i/b. Ms. Jayshree Y. Gade for applicant.

Mr. N. B. Patil, APP for State.

Mr. Pradip S. Bodade, PI, Wada Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 24, 2022.

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail in respect of First Information Report (FIR) No.0372 of 2022 registered with Wada Police Station, for the offence punishable under Sections 306, 498(A) read with Section 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).

3. The complainant is the father of the deceased Yasmin. Yasmin married Irfan on 03/04/2019. Irfan is the real brother of the present applicant-Salauddin. It is the

allegation that after the marriage of Yasmin with Irfan on 03/04/2019, she was harassed by her in-laws which included the applicant. There was a demand made by Irfan as well as the present applicant for motorcycle to be given to Irfan for which the complainant paid cash of Rs.1,10,000/- to Irfan. There are general allegations of physical and mental harassment against the family members.

4. It is the contention of learned counsel for the applicant that the applicant is residing separately and the applicant has been falsely dragged in only because he is the brother of Irfan. He submits that he is staying with his own family at a different address.

5. Irfan is already in custody. Mainly the allegations are against Irfan. So far as the applicant is concerned, in my opinion, the custodial interrogation of the applicant is not necessary as even learned counsel for the applicant submitted that he is otherwise ready to co-operate with the investigation. There is nothing to be recovered from the applicant. The applicant is a permanent resident of Wada,

Palghar and there is no likelihood of his absconding. There are no criminal antecedents against the applicant.

6. Hence, the following order :-

ORDER

(i) In the event of arrest of the applicant in connection with FIR No.0372 of 2022 registered with Wada Police Station, for the offence punishable under Sections 306, 498(A) read with Section 34 of the IPC, he shall be released on his furnishing a P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant to report to the concerned police station on 28/11/2022, 29/11/2022 and 30/11/2022 between 11.00 a.m. and 01.00 p.m. and thereafter as and when called for.

(iii) The applicant to co-operate with the Investigating Officer.

(iv) The applicant shall not leave Thane district without prior permission of the Investigating Officer.

(v) The applicant shall not tamper with the prosecution evidence.

7. Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)