

2. Madhuri Maheshkumar Patil ...Applicants

State of Maharashtra ...Respondent

Mr. Harshad Sathe i/b Mr. Vinayak Patil for the Applicants.
Mr. V.B. Konde-Deshmukh, APP for the State.

CORAM : N.R. BORKAR, J.
DATED : 25 NOVEMBER 2022

This is an application under Section 438 of Code of Criminal Procedure of anticipatory bail.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State and perused the FIR.

4. The marriage of the complainant was solemnised with the son of applicant No.1, who is also co-accused in the present crime, on 27 July 2013. The applicant No.2 is sister-in-law of the complainant. According to the complainant in the year 2014, the present applicants and co-accused told her to bring Rs.10,00,000/- from her parents. It is alleged that as she told the applicants that her parents would not be able to fulfill their demand they started harassing her. It is alleged that in the year 2018, again the applicants and co-accused told the complainant to bring Rs.2,50,000/- from her parents. It is alleged that the parents of the complainant to save her from harassment paid the said amount to the husband of the complainant. The allegations in relation to the offence punishable under Section 377 of the IPC are against the co-accused, i.e, the husband of the complainant.

5] After the year 2018, there are no allegations of demand. It appears that the report is lodged as the co-accused, i.e., husband of the complainant started suspecting her character and she was driven out of the house by him on 4 June 2022. Nothing is to be recovered at the instance of present applicants and therefore their custodial interrogation is not necessary. Considering these facts, I am inclined to release the applicants on anticipatory bail. Hence, the following order is passed:

ORDER

(i) Application is allowed.

- (ii) In the event of arrest of applicant No.1- Chhaya Bhimrao Patil and applicant No.2 - Madhuri Maheshkumar Patil in Crime No. 589 of 2022 registered at Islampur police station for the offence punishable under Section 377, 498-A, 323, 504, 506 read with 34 of Indian Penal Code, they shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties.
- (iii) The applicants shall attend the concerned police station on 1 December 2022 and 2 December 2022 and co-operate in the investigation.

(N.R. BORKAR, J.)