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

ANTICIPATORY BAIL APPLICATION NO.3426 OF 2022

AJINKYA VINOD DESHMUKH ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Sunny A. Waskar a/w. Adv. Shamish M. Marwadi i/b.
Adv. Dilip Gupta for the applicant.
Mr. S. H. Yadav, APP for the State.
Mr. Rajendra Kumbhar, API, Charkop Police Station.
Mr. Sonawane, PSI, Charkop Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 9, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** Learned APP opposed the application.
- 3.** The First Information Report (FIR) is lodged by the wife of the applicant under Sections 498-A, 406, 420, 377, 323 of the Indian Penal Code, 1860. The FIR bearing No.0955/2022 is registered with the Charkop Police Station on November 12, 2022. A reading of the FIR reveals that the applicant and the informant married on October 13,

2019. The allegations are made that the applicant harassed the informant. It is then alleged that the applicant since July 2022 onwards stopped paying the rent of the flat where they were residing. The informant alleged that the applicant took away the expensive clothes, gold ring, chain, nose ring, silver ornaments, furniture, cosmetics, etc. She came to know that the applicant had come to the flat on October 20, 2022 and took away all the belongings of the informant.

4. A reading of the FIR would reveal that general allegations are made on account of the matrimonial discord between the parties. There are 'WhatsApp' chats produced on record which indicate that the informant was calling upon the applicant to pay the rent. The chats reveal that the informant threatened that if the applicant does not respond to the messages, she would file a police complaint.

5. Having regard to the nature of the allegations, in my opinion, this is not a case where the applicant should be deprived of his liberty by refusing pre-arrest bail. The informant seeks to recover her ornaments. The other allegations are subject matter of trial for which custody of

the applicant is not required. The applicant is willing to co-operate. Hence the following order.

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with the FIR No.0955/2022 registered with the Charkop Police Station, applicant-Ajinkya Vinod Deshmukh shall be released on bail on furnishing P.R. Bond of Rs.25,000/- with one or two sureties in the like amount.
- (c) The applicant shall report to the Investigating Officer of the concerned police station on 14th and 15th December, 2022, between 10.00 a.m. and 12.00 noon and thereafter, as and when called.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

6. The application is disposed of.

(M. S. KARNIK, J.)