

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.274 OF 2022

(HARSIMRAN GURMOHAN SINGH...VS.. STATE OF MAH. THR. PSO PS LAKADGANJ, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.R.Kadam, Advocate for Applicant.
Ms M.A.Barabde, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JULY 04, 2022.

1. Heard.
2. This is an application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail in connection with Crime No. 254 of 2021, registered with Police Station, Lakadganj, Nagpur for the offences punishable under Sections 354-D, 509, 506, 504 and 503 of the Indian Penal Code and Section 67-A of the Information Technology Act, 2000.
3. The learned counsel for the applicant submits that the present First Information Report came to be lodged out of the matrimonial dispute which has now been settled between the parties. He further submits that the petition for mutual divorce has already been filed by both the parties and the matter is fixed for 30/07/2022 for orders. He submits that there is every possibility that in near future there will be decree of divorce. Accordingly, he submits that in view of the settlement between the

parties and in the above referred backdrop that the petition for dissolution of marriage is pending, he prays for grant of pre-arrest bail.

4. The learned A.P.P. is not disputing the fact about filing of the petition for dissolution of marriage by consent.

5. In the circumstances, I am of the opinion that in view of the fact that the matter has already been settled between the parties and as the custody of the applicant is not necessary, I pass the following order:

- i) The application is allowed.
- ii) The *ad-interim* order dated 12/05/2022 is hereby confirmed.
- iii) The applicant shall attend the concerned Police Station as and when his presence is required.
- iv) The State is at liberty to move an application for cancellation of bail if the applicant goes back from the settlement.

The Criminal Application is **disposed of** accordingly.