

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

CRIMINAL APPLICATION (ABA) NO.611 OF 2022

(SNEHDEEP ANIL KHOBRAGADE & 2 OTH....VS.. STATE OF MAH. THR. PSO PS M.I.D.C., NAGPUR)

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

Court's or Judge's orders

Shri C.D.Rohankar, Advocate for Applicants.
Shri A.R.Chutke, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : SEPTEMBER 07, 2022.

1. Heard.
2. By this application under Section 438 of the Code of Criminal Procedure the applicants are seeking pre-arrest bail in Crime No.0561 of 2022, registered with Police Station, M.I.D.C., Nagpur for the offences punishable under Sections 323, 498-A read with Section 34 of the Indian Penal Code, 1860.
3. The learned counsel for the applicants submits that the present F.I.R. is the outcome of the matrimonial discord and the allegations made in the F.I.R. are of general nature. He submits that the applicants have been falsely implicated in the alleged offence and therefore, custodial interrogation of the applicants is not necessary.
4. On the other hand, the learned A.P.P. strongly opposes the application and prays for rejection of the present application.

6. I have perused the case diary and the application.

7. From the F.I.R., *prima-facie*, it can be seen that the F.I.R. came to be lodged out of the matrimonial discord. The allegations are that the applicants used to demand money from the complainant. It is further clear that as the matter could not be settled before the Bharosa Cell, the offence was registered against the applicants. Thus, considering the nature of the allegations and the material available in the case diary, I am of the opinion that custodial interrogation of the applicants is not necessary. Accordingly, I pass the following order:

- i) The application is **allowed**.
- ii) The order dated 19/08/2022, granting ad-interim bail to the applicants is confirmed.
- iii) The applicants shall attend the concerned Police Station as and when their presence is required.

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

JUDGE

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