

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

CRIMINAL APPLICATION (ABA) NO.811 OF 2021

(SANTOSH HIRAMAN GAWAI & ANR....VS.. STATE OF MAH. THR. PSO PS BORGAON MANJU,
AKOLA)

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

Court's or Judge's orders

Shri Y.B.Mandpe, Advocate for Applicants.
Shri Sagar Ashirgade, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : MARCH 03, 2022.

1. Heard.
2. At the outset, on expressing the view that the Court is not inclined to grant bail to the applicant No.1, Shri Mandpe, learned counsel for the applicants prays for withdrawal of the application qua applicant No.1-Santosh Hiranman Gawai.
3. The permission, as sought for, is granted.
4. As regards applicant No.2, there is material to show that the applicant No.2 on 28/08/2021 had lodged a criminal compliant against the brother and father of the present complainant. The applicant No.2 is the sister-in-law of the complainant. The complaint of the applicant No.2 against brother and father of the complainant was registered as Crime No.360 of 2021 for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

4. It is submitted that the present First Information Report is a counterblast of the FIR filed by applicant No.2 against the family members of the complainant.

5. On perusal of the case diary, *prima-facie*, no incriminating material is found against the applicant No.2. In that view of the matter, I am of the opinion that the ad-interim anticipatory bail granted to the applicant No.2 vide order dated 30/11/2021 needs to be confirmed.

- i) The application is partly allowed.
- ii) The order dated 30/11/2021 qua applicant No.2-Chhaya Dadarao Sanise-is confirmed.
- iii) The applicant No.2 shall attend the concerned Police Station as and when her presence is necessary.

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

JUDGE