

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 288 OF 2023

Santosh Ramrao Inghare

..APPLICANT

VERSUS

The Superintendent of Police,
Parbhani and Another

..RESPONDENTS

....
Mr. S.B. Madde, Advocate for applicant
Mr. A.A. Jagatkar, A.P.P. for respondents
....

**CORAM : R.G. AVACHAT, J.
DATED : 16th MARCH, 2023**

PER COURT :

1. This is an application under Section 438 of Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No. 21 of 2023 registered with Jintur Police Station, Dist. Parbhani for the offences punishable under Sections 377, 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. Learned A.P.P. has strong objection to grant the applicant relief, considering the nature and offence punishable under Section 377 of the I.P.C.

4. Considered the submissions advanced. Perused the F.I.R. The informant is the wife of the applicant herein. The record indicates that the applicant has filed petition for dissolution of marriage by decree of divorce. The crime came to be registered pursuant to the order passed under Section 156(3) of Code of Criminal Procedure. The alleged offence took place on 28th December, 2020, while the F.I.R. came to be lodged two years thereafter.

5. In the aforesaid factual backdrop, application is allowed. The order dated 01st March, 2023 granting ad-interim anticipatory bail to the applicant is hereby made absolute. The applicant shall appear before the investigating officer, as and when required for the investigating purpose. The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD