

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

APPLICATION FOR CANCELLATION OF BAIL NO.154 OF 2022

Mrs. Dipali w/o Hemant Adhe

... APPLICANT

VERSUS

The State of Maharashtra & ors.

... RESPONDENTS

.....

Mr. R.B. Dhakane, Advocate for applicant

Mr. N.T. Bhagat, A.P.P. for respondent No.1 - State

Mr. N.K.Tungar, Advocate for R.No.7 & 8

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CORAM : R.G. AVACHAT, J.

DATE : 28th MARCH, 2023

PER COURT :

Heard. Learned counsel for the applicant submits that, the learned Additional Sessions Judge did not assign any reason while granting bail to the respondents No.2 to 9. According to him, the miscarriage took place way back in 2018. The F.I.R. was lodged in 2021. The informant is none other than the wife of respondent No.2. It appears that, it is a matrimonial dispute. Parents-in-law, sister-in-law, her husband, husband's brother, even his distant brother were made accused and the bail granted to them is now sought to be cancelled.

2. It is informed that, the charge sheet has not been filed because the statement was made that the parties may settle the dispute. It needs no mention that bail is rule and rejection is exception. The offence punishable under Section 313 took place way back in 2018 while the F.I.R. in that regard has been filed in 2021. Although the learned Additional Sessions Judge appears to have granted bail without assigning any many reasons, the facts and circumstances indicate that the learned Judge was justified in granting the respondents anticipatory bail. No case for interference with the order granting bail is made out. The application is rejected.

(R.G. AVACHAT, J.)

fmp/-