



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1690 OF 2023

Ankush Dattatray Tawade and Another ...Applicants

Versus

The State of Maharashtra & Anr ...Respondents

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Mr. S. S. Panale, Advocate for the Applicants.

Mr. S. B. Jadhav, APP, for the Respondent – State.

Mr. P. B. Shirsath, Advocate for the informant.

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CORAM : R.M. JOSHI, J

DATE : DECEMBER 12, 2023

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 800 of 2023 registered with Shrigonda Police Station, Dist. Ahmednagar for the offences punishable under Sections 376-D, 376(2)(n), 114, 506, 498-A of the Indian Penal Code.

2. First information report shows that marriage between the informant and son of the Applicants is solemnized in the year 2014. There is allegation against the Applicants that they caused harassment to her on trifle issues. There is specific allegation against husband of attracting offence under Section 376

of IPC. It is her allegation that when she drew attention of the Applicants to the acts of her husband, they did not take any action, on the contrary, asked her to do comply with of husband.

3. Learned Counsel for the Applicants submit that even if the statements of the informant are accepted to be true, no offence under Section 376 of IPC can be said to be made out against them, as even no abetment is said to have been done.

4. Learned Counsel for the informant submits that Applicants being parents of husband of the informant it was for them to prevent son from doing such acts.

5. Even accepting the allegations against Applicants herein as leveled by the informant to be true, this Court finds *prima facie* substance in contention of Counsel for Applicant about there would be no case of even abetment is made out against them. Having regard to these facts, liberty of the Applicants deserves to be protected. Hence, application stands allowed by confirming interim order dated 12th October, 2023.

(R. M. JOSHI, J.)