

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO. 179 OF 2023**

|                          |                 |
|--------------------------|-----------------|
| Rakesh Kumar Gangwar     | ... Applicant   |
| v/s.                     |                 |
| The State of Maharashtra | .... Respondent |

**WITH  
INTERIM APPLICATION NO. 474 OF 2023  
IN  
ANTICIPATORY BAIL APPLICATION NO. 179 OF 2023**

|                            |                 |
|----------------------------|-----------------|
| Pinky Rakesh Kumar Gangwar | .... Intervenor |
|----------------------------|-----------------|

In the matter between :-

|                          |                 |
|--------------------------|-----------------|
| Rakesh Kumar Gangwar     | ... Applicant   |
| v/s.                     |                 |
| The State of Maharashtra | .... Respondent |

Mr. Rakesh Singh a/w. Ms. Arti for the Applicant.  
Ms. A.A. Takalkar, APP for the State.  
Ms. Hemangi Kamdar i/b. Mr. Pravin D. Patil for the Intervenor.  
Mr. Bhosale, Khar Police Station, present.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 02<sup>nd</sup> MAY, 2023.**

**P. C. :-**

. This is an Application under section 438 of Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R.No.1169/2022 registered with Khar Police Station, Mumbai for offences punishable under sections 406, 498-A, 506 r/w. 34 of the Indian Penal Code.

2. Heard learned counsel for the Applicant, learned APP for the State and learned counsel for the Intervenor. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime arises from matrimonial dispute between the Applicant and the first informant. They were married on 10/05/2018 and they have a child born from the said wedlock. The first informant has alleged that the Applicant and his family members have demanded dowry and they have subjected her to physical and mental cruelty. It is further stated that the Applicant and his family members have misappropriated her streedhan.

4. By order dated 19/01/2022, this Court had granted interim bail to the Applicant with directions to report to the Investigating Officer. Learned APP states that the Applicant has reported to the Investigating Officer and that he has been interrogated. Learned APP further states that investigation is almost complete except for recovery of streedhan. She states that the first informant has not given any documents relating to streedhan which is allegedly misappropriated by the Applicant.

5. Considering the above facts and circumstances, this is not a case for custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.1169/2022 registered with Khar Police Station, Mumbai, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer as and when required by the Investigating Officer ;

(c) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. The Application stands disposed of. Interim Application stands disposed of in view of disposal of Anticipatory Bail Application.

PREETI  
H JAYANI

Digitally signed by  
PREETI H JAYANI  
Date: 2023.05.03  
11:05:27 +0530

(SMT. ANUJA PRABHUDESSAI, J.)