

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.192 OF 2023

Mahadev @ Vishal Deepak Naik ... Applicant

Versus

State of Maharashtra ... Respondent

WITH

CRIMINAL INTERIM APPLICATION NO.302 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.192 OF 2023

Janhavi Mahadev Naik ... Applicant

In the matter between

Mahadev @ Vishal Deepak Naik ... Applicant

Versus

State of Maharashtra ... Respondent

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Mr.Ghanasham Jadhav for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

Mr. Satyavrat Joshi i/b. Mr. Shubham Mhatre for the Intervenor

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CORAM : N.R. BORKAR, J.

DATED : 28 MARCH 2023

P.C. :-

1. This is an Application filed under Section 438 of Criminal Procedure Code, 1973 for anticipatory bail.

2. The Applicant is apprehending his arrested in Crime No.301 of

2022 registered with Kothrud Police Station, Pune for the offences punishable under Sections 498-A, 377, 323, 504 and 506 r/w 34 of the Indian Penal Code, 1860.

3. The allegations against the present Applicant, who is the husband of the complainant are of cruelty and forcible carnal intercourse with the complainant.

4. The learned counsel for the Applicant submits that there is a delay in lodging the report. It is submitted that in the year 2016 itself, the complainant had left the matrimonial house and is staying with her parents.

5. On the other hand, the learned counsel for the complainant submits that the complainant was physically and mentally harassed for demand of dowry. It is submitted that due to said harassment, she had to come to her parents' house with her son who at that time was only one year old. It is submitted that as on today the Applicant is in arrears of maintenance to the tune of Rs.26 Lakhs which shows that he has no concern for the complainant and her son.

6. Considering the overall facts and circumstances, I am not inclined to grant Anticipatory Bail to the Applicant.

7. Anticipatory Bail Application stands rejected. Interim Application stands disposed of.

(N.R. BORKAR, J.)