

AGK

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

ANTICIPATORY BAIL APPLICATION NO.596 OF 2023

Rajshekhar Dilip Torne

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Vijay Kisan Shelar i/by Ms. Anushka Shreshtha for
the applicant.

Mrs. Veera Shinde, APP for respondent No.1/State.

Mr. Rajesh Jadhav for respondent No.2.

CORAM : AMIT BORKAR, J.

DATED : JUNE 22, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.304 of 2022 registered with Atpadi Police Station for offences punishable under Section 143, 147, 149, 420, 498(a), 504, 506 34 of the Indian Penal Code, 1860, the applicant is seeking relief of pre-arrest bail under Section 438 of the Criminal Procedure Code, 1973.

2. According to prosecution, the informant was earlier married with one Adinath Javir in the year 2014; however, due to their differences they got divorced by mutual consent. In the year 2020, informant uploaded her bio-data on the website for marriage. The applicant came in contact with her. On 10 October 2021, the applicant along with others visited her house and discussed terms

of marriage. According to the informant, she married with the applicant on 22 October 2021. The applicant and his relatives took amount of Rs.50,000/-. The applicant allegedly cheated and physically and mentally abused her. She, therefore, lodged a report.

3. The applicant's application for relief under Section 438 of the Criminal Procedure Code, 1973 has been rejected by the learned Sessions Judge by order dated 1 February 2023. Aggrieved thereby, the applicant has filed present anticipatory bail application.

4. During pendency of the present anticipatory bail application, the applicant and informant have tendered consent terms, wherein the applicant has agreed to deposit Rs.7,10,000/- before Family Court, Mumbai towards full and final settlement before 30 March 2023.

5. In view of the said consent terms and considering the allegations made against the applicant, the applicant has made out a case for relief under Section 438 of the Criminal Procedure Code, 1973. Hence, following order:

a) In the event of arrest of the applicant in connection with C.R. No.304 of 2022 registered with Atpadi Police Station for offences punishable under Section 143, 147, 149, 420, 498(a), 504, 506 34 of the Indian Penal Code, 1860, he be released on bail on furnishing PR. Bond in the amount of Rs.25,000/- with one or two sureties in the like amount;

b) In case the applicant fails to pay the amount as mentioned in

paragraph 4 of the consent terms dated 7 June 2023, the informant shall be at liberty to apply for cancellation of the present order;

6. The anticipatory bail application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)