

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

ANTICIPATORY BAIL APPLICATION NO. 786 OF 2023

1. Satish Hukumchand Shaha	
2. Sarang Mohanlal Shaha	
3. Kalpak Ravikant Shaha	... Applicants
v/s.	
The State of Maharashtra	 Respondent

Mr. Aniket U. Nikam a/w. Mr. Aashish Satpute
and Mr. Amit Icham for the Applicants.
Mr. S.V. Gavand, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 15th MARCH, 2023.

P. C. :-

1. This is an Application under section 438 of Cr.P.C. filed by the aforesaid Applicants apprehending their arrest in C.R.No.110/2023 registered with Tembhurni Police Station, Solapur for offences punishable under sections 327, 354, 504, 506 r/w. 34 of the Indian Penal Code.

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

3. The aforesaid crime was registered pursuant to the FIR dated 21/02/2023 lodged by Sushma Balaji Shinde alleging that on 20/02/2023, the Applicants abused her in filthy words and slapped her. The Complainant has stated that in the course of said incident, her gold chain fell off and that she does not know as to who had taken it. The records indicate that the father of the Applicant No.3 had already lodged a complaint against the husband of the Complainant on 15/02/2023 which was registered as NC complaint and the FIR in respect of the same crime was lodged on 16/02/2023. The records indicate that there is some previous dispute between the Applicants and the Complainant over removal of cement poles from the disputed land.

4. Considering the nature of the accusations, in my considered view, this is not a case which would justify custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicants in C.R.No.110/2023 registered with Tembhurni Police Station, Solapur, they shall be released on bail on furnishing bail bonds in the sum of Rs.20,000/- each with one or two sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer for two days i.e. on 20/02/2023 and 21/02/2023 between 11:00 a.m. to 02:00 p.m.

(c) The Applicants shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

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

5. The Application stands disposed of.

PREETI
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JAYANI

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Date: 2023.03.16
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(SMT. ANUJA PRABHUDESSAI, J.)