

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

DARSHAN
PRAKASH
PATIL

Digitally signed
by DARSHAN
PRAKASH PATIL
Date: 2023.08.18
10:14:17 +0530

ANTICIPATORY BAIL APPLICATION NO. 839 OF 2023

Ankush Sukhdeo Galande	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr. Shailesh Chavan a/w Mr. Aadesh Kale for the Applicant.
 Ms. Rutuja Ambekar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 12.04.2023

P.C. :

- 1.** This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
- 2.** The applicant is apprehending his arrest in Crime No. 599 of 2022 registered at Indapur Taluka Police Station, District- Pune for the offences punishable under Sections 328 read with 34 of the Indian Penal Code (IPC) and Section 4 of the Dowry Prohibition Act.
- 3.** According to the prosecution, the marriage of the victim was fixed with the nephew of the applicant who is accused No.1 in the present crime and they were going to get married on 31 July 2022. It is alleged that Rs.5,00,000/- (in words Rupees Five Lakhs) were demanded towards dowry. According to the prosecution, on 31 July 2022, it was informed to the father of the victim that the accused No.1 had ran away from the house and

therefore, marriage will have to be cancelled.

4. It is alleged that on 01 August 2022 the present applicant and other family members of accused No.1 and father of the victim and her other family members met to discuss future course of action. It is alleged that at that time the present applicant, while consoling the victim, gave her one sweet and told her that it is a prasad and if she consumes it, then everything will be alright. It is alleged that after consuming the said sweet, she started vomiting. According to the prosecution, some sort of poison like substance was administered to the victim through the said sweet.

5. There is a delay in lodging the report. Apart from it, the history which was given to the hospital at the time of admitting the victim, reads thus:

"H/O consumption of OP-poison [Decis Insecticide] as per history given by the relatives on admission".

6. If what is alleged against the applicant and other co-accused is accepted, then there was no reason for the relatives of the victim to know what sort of poison was administered/consumed by the victim. I am, therefore, inclined to grant anticipatory bail to the applicant. In the result the following order is passed.

ORDER

A) The application is allowed.

B) In the event of arrest of the applicant in C.R. No.

599 of 2022 registered at Indapur Taluka Police Station, District- Pune for the offences punishable under Sections 328 read with 34 of the IPC and Section 4 of the Dowry Prohibition Act, the applicant- Ankush Sukhdeo Galande, be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C) The applicant shall not tamper with the prosecution witnesses.

D) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]