

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 531 OF 2021**

Amarjeetkumar Chaudhary ... Applicant

V/s.

The State of Maharashtra ... Respondent

WITH

INTERIM APPLICATION NO. 3151 OF 2021

IN

ANTICIPATORY BAIL APPLICATION NO. 531 OF 2021

Prashantkumar Nirajkumar ... Applicant/Intervenor

V/s.

The State of Maharashtra ... Respondent

Sonal Parab a/w P. K. Sanghrajka, Tanvi Sawant i/b Rajeev Sawant & Associates, Adv. for the Applicant.

Mr. Shrikant Yadav, APP for the Respondent/State.

PSI A. T. Shirke, Antop Hill Police Station, Mumbai.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : MARCH 31, 2023

PC. :

1. This is an application under Section 438 of the Code of Criminal Procedure, 1973 filed by the aforesaid Applicant apprehending his arrest in Crime No. 388 of 2020 registered with Antop Hill Police Station, Mumbai for the offences under Section 498(A), 304(B), 504 & 506 read with 34 of the Indian Penal Code, 1860 and under Section 3 & 4 of Prohibition of Dowry Act, 1961.

2. Heard learned Counsel for the Applicant and learned APP for the State. Perused the record and considered the submissions advanced by the learned Counsel for the respective parties.

3. The marriage of the Applicant and deceased Khushboo was solemnized on 28/06/2020. She committed suicide on 16/12/2020. The brother of the deceased lodged the First Information Report on 18/12/2020 alleging that the Applicant and others had demanded Scorpio Car in the form of dowry and subjected his sister to physical and mental cruelty for not meeting the unlawful demand of dowry.

4. The record indicates that the Applicant herein was on interim protection since 01/02/2021 and the same was continued by this Court from time to time. Learned APP states that the charge-sheet has been filed against the co-accused. The Applicant has already been interrogated and that the charge-sheet will be filed within a period of 2 weeks.

5. The investigation is completed and the presence of Applicant is no longer required for the purpose of investigation, much less for custodial interrogation. Hence, the Applicant is entitled for pre-

arrest bail. In the result, the application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in Crime No. 388/2020 registered with Antop Hill Police Station, Mumbai, he shall be released on interim bail on furnishing Bail Bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) with one or two sureties in the like amount;

(b) The Applicant shall appear before the Investigating Officer as and when required;

(c) The Applicant 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 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 Anticipatory Bail Application stands disposed of.

7. In view of the disposal of Anticipatory Bail Application, the Interim Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)