

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1335 OF 2023

Laxmibai Surji Shah And Ors. ...Applicants

vs.

The State of Maharashtra ...Respondent

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Mr. Harshad Sathe, i/b. Saurabh Butala, for the Applicants.

Ms. P.N. Dabholkar, APP, for the Respondent State.

Mr. D.K. Londhe, PSI, Naupada Police Station, Thane.

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**CORAM : RAJESH S. PATIL, J.
(VACATION COURT)**

DATE : 10 MAY 2023

P.C. :

This ABA is filed under Section 438 by the Applicants apprehending their arrest in CR No.74 of 2023 registered with Nupada Police Station, Thane, for offences punishable under Section 498A, 406, 323, 504 and 506 of IPC.

2. The Applicants are mother-in-law, brother-in-law and sister-in-law of the original complainant. The complainant married nearly 25 years back and has two grown up children. However, according to the Applicants, some disputes arose in the matrimonial life of the

complainant and, hence, the complainant filed a NC on 18 May 2021 at Naupada Police Station, Thane. As there was no settlement between the parties after 25 years of marriage and disputes being arose, the complainant had left the matrimonial house. It is also stated that one of the son of the complainant is staying out of India. The complainant, thereafter, lodged an FIR on 28 February 2023 against her husband and the family members of her husband, including her mother-in-law, brother-in-law and sister-in-law.

3. The present application is filed by the Applicants, as they apprehend that the police would arrest them for the alleged offence.

4. The Assistant PP states that if the Applicants co-operate, the police would not seek a custody of the Applicants and ABA can be granted, subject to conditions.

5. I am convinced after going through the contents of the FIR and hearing Mr. Sathe that a case is made out for granting ABA. The ABA is granted on the following terms and conditions:

- (i) In the event of arrest of the Applicants in C.R. No.74 of 2023 registered with Naupada Police Station, Thane, the Applicants shall be released on bail on furnishing PR bonds in the sum of Rs.25,000/- each with one or two sureties to the like amount;

- (ii) The Applicants are directed to report to the Investigating Officer for two days on 13 and 14 May 2023 between 11.00 a.m. to 2.00 p.m. and as and when required by the Investigating Officer and co-operate with the investigation;
- (iii) The Applicants shall not tamper with the prosecution evidence and or influence the witnesses in any manner;
- (iv) 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.

6. The application stands disposed of.

(RAJESH S. PATIL, J.)