

Versus

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Ms. Devyani Kulkarni for the original complainant.

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DATED : 19 JANUARY 2023

P.C. :-

4. On 22 January 2021, this Court passed the following order :

“1. The Applicant is seeking anticipatory bail in connection with C.R.No.206/2020 registered at Kharghar Police Station, Navi Mumbai on 12.10.2020 under Sections 498-A, 323, 504, 406 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

2. The allegations in the FIR are that the Applicant got married with the informant on 13.5.2018. It was represented by the Applicant that he has a secured job in Dubai. At the time of marriage, the informant’s uncle had given her stridhan and other articles. The FIR mentions that the informant came to know that the Applicant did not have any job and that he made misrepresentation. In the FIR, she has mentioned that the Applicant used her bank accounts and credit cards in making payment for purchasing various articles etc.. He has also taken loan from her account without her concurrence. The allegations are that she was put to the losses to the tune of more than Rs.12 Lakhs in such transactions and she had lost 228 grams of gold articles. She had also lost Rs.2 Lakhs in cash. Thereafter the informant was driven out of the matrimonial house on 8.9.2019

3. Heard Shri Jacob Manoharan, learned Counsel for the Applicant and Smt. P.N. Dabholkar, learned APP for the State.

4. Learned Counsel for the Applicant submitted that he did have a job initially for two months after the marriage, but, he lost the job and, therefore, the couple had to spend for household expenses from the amount of the informant. This was done out of necessity and there was no offence which was committed as the money was spent for the couple and the family. He further submitted that the Applicant has not committed any offence as alleged against him.

5. Learned A.P.P. submitted that the Applicant was granted interim anticipatory bail during pendency of his application before the Sessions Court, but, he did not cooperate with the investigation. His phone was switched-off most of the time and he did not pick up his phone.

6. Considering these circumstances, today I am

protecting the Applicant by way of interim relief with a direction to attend the concerned police station to show his bonafides. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.206/2020 registered with Kharghar Police Station, Navi Mumbai, till the next date, the Applicant be released on bail on his executing a P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.*
- (ii) This order shall operate till 22.2.2021.*
- (iii) The Applicant shall attend the concerned police station from 2nd February, 2021 to 5th February, 2021 between 1:00 p.m. to 5:00 p.m. and shall cooperate with the investigation.*
- (iv) Stand over to 22.2.2021.”*

5. The learned APP on instructions submits that the prosecution has filed the charge-sheet against the applicant. Considering the overall facts and circumstances of the case, the interim order passed by this Court dated 22 January 2021 is hereby confirmed. The application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

Digitally signed
by KANCHAN
PRASHANT
DHURI
Date:
2023.03.18
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