

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

ANTICIPATORY BAIL APPLICATION NO. 3029 OF 2022

Shabana Ismail Shaikh	...Applicant
vs.	
The State of Maharashtra	...Respondent

Ms. Lakshmi Raman - Advocate for the Applicant
Mr. H. J. Dedhia - APP for the Respondent-State
Mr. Saurabh Butala a/w Ms. Manvi Sharma – Advocate for the
Complainant.
Mr. Swapnil Harne – Respondent No. 2 present - Complainant

CORAM : S. M. MODAK, J.

DATE : 08th JUNE, 2023

P. C. :-

1. This Court has granted interim protection vide order dated 25/10/2022. Offence is registered with Kasarvadavli Police Station, Thane bearing C.R. No. 22 of 2022 for the offence punishable under Sections 385, 417, 420, 465 and 471 read with 34 of the Indian Penal Code. Officer is present.
2. During pendency of this application, the parties i.e. the present Applicant-wife and first informant Swapnil have settled the dispute and they have also entered into consent terms on

26/04/2023. Copy of the consent terms is taken on record and marked as 'Annexure X'. The first informant-Swapnil is present.

3. They have agreed to file quashing, petition before the Division bench and the first informant has agreed to give consent. Petition is already pending before the Family Court, Thane. It is filed by the husband. It is filed for declaring marriage as void. If marriage is not declared as void, both have agreed to take divorce by mutual consent. Clause no. – 3 (j) mentions about the same. Even though clause no. 3 (b) says that the first informant has filed interim application, in fact it is not filed. However the first informant is present alongwith his learned Advocate.

4. In view of that the investigating agency is also not pressing for custodial interrogation of the Applicant. In view of the above, let interim order passed on 25/10/2022 be confirmed and anticipatory bail application is disposed of.

[S. M. MODAK, J.]