



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2928 OF 2023**

Swapnil Sunil Satav
versus
State of Maharashtra

... Applicant
... Respondent

Mr. Nitesh J. Mohite, for Applicant.
Mr. S.H.Yadav, for APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 19 OCTOBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.409 of 2023 registered with Sinhagad Road Police Station for the offences punishable under Sections 498A, 323, 504, 506 read with Section 34 of the Indian Penal Code.
3. The first informant is the wife of the applicant. Their marriage was solemnized on 6 November 2022. The first informant alleged that the applicant is addicted to liquor. The applicant allegedly physically and sexually exploited her. When the incidents were narrated to the mother and other relatives of the applicant, they also harassed the first informant. The allegations of unlawful demands are also made in the FIR.
4. The learned Counsel for the Applicant submitted that the first informant has left the matrimonial home on her own on 10 June 2023. On 17 August 2023, a

notice was addressed on behalf of the applicant calling upon her to resume cohabitation after submitting an undertaking to cohabit peacefully. By way of counter blast, the FIR came to be lodged on 31 August 2023.

5. Evidently, the allegations of matrimonial cruelty have been made. It appears that within a couple of months of marriage, a discord struck the life of the applicant and the first informant. It seems that on 17 August 2023, a notice was addressed on behalf of the applicant to first informant. In any event, the allegations in the FIR are not such that to facilitate further investigation, the custodial investigation of the applicant would be required. I am, therefore, inclined to exercise the discretion in favour of the applicant.

6. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Swapnil Sunil Satav in connection with C.R.No.409 of 2023 registered with Sinhagad Road Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall co-operate with the investigation and report to Sinhagad Road Police Station on 26th and 27th October 2023 in between 10.00 a.m. to 1.00 p.m.

(iii) The Applicant shall not tamper with the prosecution evidence

and/or give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The Application stands disposed.

(N.J.JAMADAR, J.)