

VRJ

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

ANTICIPATORY BAIL APPLICATION NO.32 OF 2023

Ruchir Satish Sanghavi	... Applicant
V/s.	
The State of Maharashtra	... Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.3571 OF 2022**

Satish Danmal Sanghavi & Ors.	... Applicants
V/s.	
The State of Maharashtra	... Respondent

Mr. Piyush Toshnival i/by Mr. Amit Icham for the applicant in both ABA.

Mr. Amit A. Palkar, APP for the State.

Mr. Nagesh Khedkar with Mr. Shailesh Kharat for the respondent No.2.

Mr. S. Chaudhary, PSI, Vimantal Police Station is present.

CORAM : AMIT BORKAR, J.

DATED : JUNE 19, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.489 of 2022 dated 13th December 2022 registered with Vimantal Police Station, District Pune for offences punishable under sections 498-A, 376, 377, 420, 323, 504, 506, 500 read with section 34 of the Indian Penal Code, 1860, the applicant and in-laws of respondent No.2

are seeking relief under section 438 of the Criminal Procedure Code, 1973.

2. According to the learned advocate for the applicants, the marriage between the accused No.1 and the informant was performed on 21st March 2015. Thereafter, the accused No.1 used to assault the informant. Remaining accused used to harass the informant for non-payment of dowry. In the month of March 2022 the accused No.1 established unnatural sexual intercourse with the informant. The applicants forced the informant to pay amount of Rs.62,37,117/- towards dowry.

3. The applicants, therefore, filed application before the learned Session Judge under section 438 of the Criminal Procedure Code, 1973, which is rejected by order dated 20th December 2022. Aggrieved thereby, the applicants have filed present anticipatory bail applications.

4. This Court by order dated 5th January 2023 and 22nd December 2022 protected the applicants. During pendency of present anticipatory bail applications, parties have arrived at settlement by entering into consent terms dated 7th June 2023. The consent terms dated 7th June 2023 are taken on record. Under the consent terms both the parties have agreed to withdraw proceedings against each other. In case of breach of terms and conditions, the other party is at liberty to adopt appropriate proceeding available under the law.

5. Considering the nature of offence and the relationship between the parties and parties having arrived at consent terms,

the applicants have made out case for grant of relief under section 438 of the Criminal Procedure Code, 1973. Hence, following order:

- a) In the event of arrest of the applicants in connection with C.R. No.489 of 2022 dated 13th December 2022 registered with Vimantal Police Station, District Pune for offences punishable under sections 498-A, 376, 377, 420, 323, 504, 506, 500 read with section 34 of the Indian Penal Code, 1860, they shall be released on bail on furnishing PR Bond in the sum of Rs.50,000/- each along with one or two sureties in the like amount;
 - b) The applicants shall cooperate with the investigation and make themselves available for interrogation whenever required.
6. The anticipatory bail applications stand disposed of in above terms.

(AMIT BORKAR, J.)