

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION (ABA) NO.37/2023

Prateek s/o Shankar Shrivastava and others

vs.

State of Rajasthan and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.M. Jaltare, Advocate for applicants.
Mr. V.A.Thakre, APP for respondent no.2

CORAM : ANIL L. PANSARE J.

DATE : 19/01/2023

1. Heard.

2. Leave to amend criminal application and to add concerned police station in Maharashtra as party-respondent no.2. Amendment be carried out forthwith.

3. In the present application, the applicants are seeking transit anticipatory bail, as they are apprehending their arrest in Crime No.05/2023 registered at Mahila Police Station, Udaipur, Rajasthan for the offences punishable under Section 406 and 498-A of the Indian Penal Code. The FIR

has been lodged by the wife of the applicant no.1. Applicant no.2 and 3 are in-laws of the informant. It appears that the FIR is outcome of matrimonial discord. The applicants intend to file application under Section 438 of the Code of Criminal Procedure before the Sessions Court, Udaipur, Rajasthan and accordingly seeks time of four weeks.

4. Issue notice to the non-applicants.

5. Learned APP waives notice on behalf of non-applicant no.2 and has opposed for grant of time as sought by the learned counsel for the applicants.

6. Considering the nature of allegation, which arises because of matrimonial discord between the applicant no.1 and informant, I pass the following order:-

(i) Criminal Application is allowed.

(ii) Relief is granted for five days from today i.e. 19th January, 2023 till 24th January, 2023, on the following terms:

In the event of arrest of the applicants in connection with Crime No.05/2023 registered

with Police Station, Mahila Police Station, Udaipur, Rajasthan for offences punishable under Sections 406 and 498-A of the Indian Penal Code, the applicants be released on bail on they executing PR Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

Criminal Application is disposed of accordingly.

JUDGE

Signed By: MUKUND
LAXMANRAO AMBULKAR
Private Secretary

Signing Date: 19.01.2023 15:10