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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.122 OF 2024

Dipali w/o Kondiram Pawar

APPLICANT

VERSUS

The Superintendent of Police and Another

RESPONDENTS

.....
Mr. Dnyaneshwar B. Pokale, Advocate for the applicant
Mr. R. B. Dhaware, APP for respondent - State
Mr. Nitin L. Dhobale, Advocate assisting APP
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 3rd MAY, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No. 479 of 2023 registered with Ambajogai City Police Station, District - Beed for offence punishable under sections 494, 498A, 452, 323, 504, 506 read with 34 of the Indian Penal Code.
2. FIR is lodged by Dhanashri Pawar against her husband and applicant, alleging that she got married with accused Kondiram Pawar in the year 2015. She is having one son and one daughter out of the said wedlock. Prior to three months of lodging of the FIR, she found Aadhar Card of applicant, showing her to be wife of accused Kondiram. While she confronted said fact with accused Kondiram, he disclosed that he got married with

applicant. Accused Kondiram assaulted her with kicks and fists blows and gave threats to kill her. While applicant was called for giving understanding to her, both the accused harassed the informant. Applicant took disadvantage of the fact of being a police constable and she had visited house of informant prior to two months of the incident and had pulled her hair and assaulted her. Applicant also pressurized her to evict the premises. There was continuous harassment by accused Kondiram and applicant.

3. Heard learned advocate for applicant, learned APP for the State and learned Advocate for informant. Perused investigation papers.

4. According to applicant, informant has filed HMP No. 282 of 2023 on 2nd December, 2023, against co-accused Kondiram Dhondiraj Pawar and applicant is made respondent in the said proceedings. Informant has also filed proceedings under the Domestic Violence Act.

5. Learned advocate for informant has submitted that applicant is a police officer and she is misusing her authority and is indulging in criminal activities. This can be taken care of by imposing stringent conditions on applicant.

6. Taking into consideration the allegations made against the

applicant in the FIR and the material collected during investigation and the gender of the applicant, this is not a case where custodial interrogation of applicant is necessary for investigation purposes.

7. Applicant is Police Constable and she will not abscond if released on bail. Applicant undertakes to co-operate in the investigation.

8. Application is, therefore, allowed, by confirming interim protection. Applicant shall not enter the area of Zare Galli, Ravivar Peth, Ambajogai, till filing of the charge sheet. Applicant shall not influence prosecution witnesses and shall not tamper prosecution evidence.

**[NITIN B. SURYAWANSHI]
JUDGE**