



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 ANTICIPATORY BAIL APPLICATION NO. 478 OF 2024

1. Sangita Harichandra @ Harischchandra Gaikwad
 2. Dipali Yogesh Shinde
 3. Suraj Harichandra Gaikwad
 4. Shital Ajit Ransing (withdrawn)
 5. Ahilya Ajit Ransing
 6. Sushil Ajit Ransing
 7. Pooja Sushil Ransing
- ...Applicants

Versus

1. The State of Maharashtra
 2. The District Superintendent of
Police, Ahmednagar
- ...Respondents

Advocate for Applicant : Mr. Dnyaneshwar R. Kale with Mr. Y.H. Lagad

APP for Respondents: Mr. B.B. Bhise

Advocate to assist the A.P.P. : Ms. S.G. Sonwane

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CORAM : SHIVKUMAR DIGE, J.

DATED : 29th AUGUST, 2024.

PER COURT :-

1. The learned counsel for the applicants, on instructions, seeks leave to withdraw the application of applicant No.4. Leave granted.

The application of applicant No.4 is disposed of as withdrawn.

2. In so far as other applicants are concerned, they apprehend arrest in connection with crime No.57 of 2024 registered with Shrigonda Police Station, district Ahmednagar, for the offences

punishable under Sections 377, 109, 494 and 34 of the Indian Penal Code.

3. It is the prosecution's case that the marriage of the informant was performed with accused No.1 in the year 2013. The applicant No. 1 is mother-in-law, applicant No.2 is married sister-in-law and applicant No.3 is brother-in-law of the informant whereas the applicant Nos. 5 to 7 are the relatives accused No.5. It is alleged that the accused No.1 committed unnatural sex with the informant. It is alleged that the accused No.1 had illicit relations with accused No.5 i.e. applicant No.4 whose application has been withdrawn. It is alleged that thereafter accused No. 1 and accused No.5 performed second marriage. Thereafter, the informant lodged complaint against accused Nos. 1 and accused No.5 and the present applicants.

4. It is the contention of the learned counsel for the applicants that the allegations against the applicants are that they aided the accused No.1 to perform the second marriage with accused No.5 and they harassed the informant. Except these allegations, there are no allegations against the applicants. Their custodial interrogation is not required and requested to allow the application.

5. It is the contention of the learned APP alongwith the learned

counsel to assist the A.P.P. that the applicants have harassed and tortured the informant. They were aware about the illicit relations between the accused No. 1 and accused No.5 and inspite of that they supported the accused No.1 and caused physical and mental torture to the informant. Considering the allegations against the applicants, their custodial interrogation is required and requested to reject the application.

6. I have heard all the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicants are that they caused mental and physical torture to the informant and aided to the marriage of accused Nos. 1 and accused No.5. Considering the allegations against the applicants, their custodial interrogation is not required and I pass the following order:-

ORDER

- (i) The application is allowed.
- (ii) The interim anticipatory bail granted to applicant Nos. 1 to 3 and 5 to 7 vide order dated 26.03.2024 stands confirmed on the same terms and conditions with following modification:-
 - (a) the applicants shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)