



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

81 APPLICATION FOR CANCELLATION OF BAIL NO. 210 OF 2023

Komal W/o Ajit Lenkar

VERSUS

The State of Maharashtra and others

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Advocate for Applicant : Mr. Shubham S. Kote h/f Mr. A.V. Hon
APP for Respondent No.1: Mr. S.B. Narwade

Advocate for Respondent Nos. 2 to 4 : Shri R.N. Dhorde, senior
counsel i/b Mr. Vikram R. Dhorde a/w Mr. S.P. Nimbalkar

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CORAM : SHIVKUMAR DIGE, J.

DATED : 19th AUGUST, 2024.

PER COURT :-

1. By this application, the applicant is seeking cancellation of anticipatory bail granted to respondent Nos. 2, 3 and 4 by the learned Additional Sessions Judge, Shrirampur in crime No. 386 of 2023 registered with Shrirampur Taluka police station for the offences punishable under Sections 498-A, 323, 342, 406, 504, 506 r.w. 34 of I.P.C.

2. It is the contention of learned counsel for the applicant that the applicant has filed F.I.R. against the respondent Nos. 2 to 4 under the above referred sections. In the F.I.R. the applicant has alleged that gold ornaments of the applicant are lying with the respondent Nos. 2 to 4 and they have not returned the said gold ornaments.

Learned counsel further submitted that the that respondent No.2 had taken personal photographs of the applicant and she has stated about it in her supplementary statement. The said photographs are with respondent No.2. The custodial interrogation of the respondents are required to recover the said photographs as well as to recover the gold ornaments. But these facts are not considered by the learned Additional Sessions Judge and has allowed the anticipatory bail application of respondent Nos. 2 to 4, which is erroneous. Hence, requested to allow this application and the cancel the anticipatory bail granted to respondent Nos. 2 to 4.

3. It is the contention of learned senior counsel for respondent Nos. 2 to 4 that the false allegations have been made against the respondent Nos. 2 to 4 by the applicant. The learned Sessions Judge has passed a well reasoned order stating that no custodial interrogation of the respondent Nos. 2 to 4 is required. The learned senior counsel further submitted that in respect of the personal photographs taken by the respondent No.2, no allegations are made in the F.I.R. The applicant has taken her all gold ornaments with her and only to harass the respondent Nos. 2 to 4, the allegations in that regard are made in the F.I.R. Learned senior counsel further submitted that the investigation is completed and the charge sheet has been filed against respondent Nos. 2 to 4. Hence, the custodial

interrogation of the respondent Nos. 2 to 4 are not required and requested to reject the application.

4. The learned A.P.P. submitted that appropriate order be passed.

5. I have heard all the learned counsel. Perused the order passed by the learned Sessions Judge. The learned Session Judge while allowing the anticipatory bail application of respondent Nos. 2 to 4 has passed a well reasoned order. Moreover, the investigation is completed and the charge sheet has been filed against respondent Nos. 2 to 4. Considering these facts, the custodial interrogation of the respondent Nos. 2 to 4 is not required. If it is an apprehension of the applicant that her personal photographs may be misused by respondent No.2, and if she notices something, she can take appropriate action in that regard. Considering these facts, I pass the following order:-

O R D E R

The application is rejected.

(SHIVKUMAR DIGE, J.)