

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

ANTICIPATORY BAIL APPLICATION NO. 5 OF 2024

Rupesh Dada Misale

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. S. J. Shelke a/w. Mr. Sandesh More for Applicant.

Ms. Sharmila S. Kaushik, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 04 JANUARY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 312 of 2023 registered at Badlapur Police Station (W), on 03.12.2023, under sections 354 and 509 of the Indian Penal Code.

2. The F.I.R. is lodged by the sister in law of the applicant. She has stated that the applicant's wife was her sister. There used to be frequent quarrels between the applicant and his wife. On 01.12.2023, when the applicant, the informant and her sister were coming back home in a rickshaw, at that time, the applicant

touched the informant inappropriately. In the night, he abused her in filthy language. On this basis, the F.I.R. was lodged.

3. Learned APP, on instructions of the investigating officer submitted that the investigating agency does not want custody of the present applicant. The statement is recorded. In view of this statement, learned counsel for the applicant does not press this application, at this stage.

4. However, in case, if in future the investigating agency decides to arrest the applicant in this offence, a clear four working day's notice shall be given to the applicant.

5. With this observation, the application is disposed of as not pressed. It is needless to add that the applicant shall co-operate with the investigation as and when required.

(SARANG V. KOTWAL, J.)