



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

ANTICIPATORY BAIL APPLICATION NO. 183 OF 2023

1. SONIYA RAJA @ RAJESH CHHABRIA
2. PALAK VIJAY MUKTA
3. RAJESH @ RAJA NANDLAL CHHABRIA
4. VIJAY ARUN MUKTA ..APPLICANTS
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
INTERIM APPLICATION NO. 670 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO. 183 OF 2023
WITH
INTERIM APPLICATION NO. 671 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO. 376 OF 2023**

BHOOMI RAHUL VERMA ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
ANTICIPATORY BAIL APPLICATION NO. 376 OF 2023**

1. SHRUTI RAJESH POPTANI
2. RAJESH RANJITSINGH POPTANI ...APPLICANTS
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Ganesh K. Gole a/w. Adv. Aarif Ali M Ali for the
applicants in both ABA.
Mr. S. H. Yadav, APP for the State.
Adv. Bharat Bhatia for the intervener.
WPSI Aasha Gajanan Nikam, Central Police Station,
Ulhasnagar- 3.

CORAM : M. S. KARNIK, J.

DATE : APRIL 22, 2024

P.C. :

- 1.** These anticipatory bail applications are decided by a common order.
- 2.** Heard learned counsel for the applicants, learned APP for the State and learned counsel for the complainant.
- 3.** These are the applications for pre-arrest bail in respect of the First Information Report (FIR) No.0178/2022 dated 10/5/2022 registered with Central Police Station, Thane, for the offence punishable under sections 498-A, 406, 341, 504, 506 read with 34 of the Indian Penal Code, 1860.
- 4.** The complainant is the wife of the deceased Rahul Verma. The applicants are the in-laws of the complainant. It is the allegation that the complainant's husband Rahul died on 23/3/2022. Prior to the death of Rahul, it is contention that the in-laws, especially the sisters-in-law were taunting Rahul time and again and hence, the complainant and her husband was started residing separately.
- 5.** Learned counsel for the complainant submitted that Rahul died under mysterious circumstances. It is further

submitted by learned counsel that the complainant was not allowed to enter the matrimonial home. It is the contention of learned counsel that the gold ornaments and other articles belonging to her are lying in the matrimonial home. It is further submitted that the applicants are depriving her of rightful share in the property. Learned counsel submitted that the complainant was treated with cruelty.

6. So far as the applicants in Anticipatory Bail Application No.376/2023 are concerned, pursuant to the observations of the trial Court in paragraph 8 of the order rejecting application for pre-arrest bail, the applicants who are some of the in-laws of the complainant filed this application apprehending arrest. It is alleged by the complainant that post filing of the aforesaid FIR, the applicants have illegally withdrawn money from the bank account of the complainant's husband and father-in-law which was joint bank account even after the death of the husband and father-in-law of the complainant.

7. Pursuant to the order passed by this Court, the applicant who are in-laws have attended the investigating officer. They joined the investigation and co-operated with

the investigation. The applicants are willing to submit specimen of the handwriting and signatures, if called upon by the investigating officer. It is assured that the applicants will co-operate with the investigation in every possible way. In my opinion, *prima facie*, the dispute primarily appears to be between in-laws and the complainant over the share in the suit property. It is always open for the complainant to resort to appropriate remedies available in law. The allegations are vague and general in nature. However, considering the nature of the accusations in the instant FIR, in my opinion, these applications can be allowed. The custodial interrogation of the applicants is not necessary. Hence, the following order.

ORDER

(a) In the event of arrest of the applicants in connection with FIR No. 0178/2022 registered with Central Police Station, Thane, the applicants – 1. Soniya Raja @ Rajesh Chhabria, 2. Palak Vijay Mukta, 3. Rajesh @ Raja Nandlal Chhabria, 4. Vijay Arun Mukta, 5. Shruti Rajesh Poptani and 6. Rajesh Ranjitsingh Poptani be released on bail on their furnishing P.R. Bond in the sum of

Rs.15,000/- each with one or more sureties each in the like amount;

(b) The applicants shall report to the Investigating Officer as and when called and co-operate with the investigation.

(c) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

8. The anticipatory bail applications are disposed of. Interim applications also stand disposed of.

(M. S. KARNIK, J.)