

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

ANTICIPATORY BAIL APPLICATION NO.529 OF 2024

Suhas Santu Gode
versus
State of Maharashtra

.... Applicant
.... Respondent

.....

- Mr. Vilas Tapkire i/b. Vipul K. Bodhare, Advocate for Applicant.
- Ms. Pallavi N. Dabholkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 26th FEBRUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.115/2024, dated 26/01/2024, registered with Khadakpada Police Station, Thane City, under sections 498-A and 420 of the Indian Penal Code.
2. Heard Mr. Vilas Tapkire, learned counsel for the Applicant and Ms. Pallavi N. Dabholkar, learned APP for the State.
3. The FIR is lodged by the Applicant's wife. They had got married on 12/06/2023. The gist of the FIR is that because of his medical condition, they could not consummate the marriage. The informant was suffering physically and mentally because of

this. It is her case that she found one prescription dated 08/02/2023 in which some medicine for the same medical condition was prescribed to the Applicant. Therefore, according to the informant though the Applicant was aware of his medical condition, he had concealed this situation from the informant and had got married with her. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the informant had hardly resided with the Applicant for 12 days. She had not given sufficient chance to the Applicant to develop a healthy relationship. He submitted that there was no intention to commit any offence in the nature of cheating or u/s 498-A of IPC.
5. Learned APP on instructions submitted that it would be sufficient if the Applicant remains present before the investigating agency and cooperates with the investigation including undergoing medical test.
6. I have considered these submissions. Taking overall view of the allegations, in my opinion, the Applicant's custodial

interrogation will not serve any purpose. It is sufficient if he cooperates with the investigating agency.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.115/2024, dated 26/01/2024, registered with Khadakpada Police Station, Thane City, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall cooperate with the investigation.
- (iii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)