

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

ANTICIPATORY BAIL APPLICATION NO. 673 OF 2024

Praveen Paras

..Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

WITH

ANTICIPATORY BAIL APPLICATION NO. 671 OF 2024

Prabha Kumari & Ors.

..Applicants

Versus

The State of Maharashtra & Ors.

..Respondents

Mr. Karansingh Rajput a/w. Ankita Pachouri, Kayomars Kerawalla
i/b. Vohuman Legal for Applicants.

Ms. Rajeshree V. Newton, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 21 MARCH 2024

P.C. :-

1. Both these applications are decided by this common order today. I am deciding these applications by following the guidelines of the Hon'ble Supreme Court in the case of *Priya Indoria Versus The State of Karnataka*¹. Vide the orders dated 08.03.2024 and 14.03.2024, I had issued notices to the concerned public prosecutor and the investigating officer, who were seized of the F.I.R.; which is the subject matter of these applications.

1 2023 SCC OnLine SC 1484

Learned counsel for the applicants has tendered the copies of affidavits of service on both these respondents.

2. The F.I.R. is lodged at Gaziabad Mahila police station, Uttar Pradesh, vide the C.R.No.9 of 2024, on 27.01.2024, under sections 498-A and 504 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. Learned counsel for the applicants submitted that, all the applicants are residents of Mumbai. The Applicant Prabha Kumari is a senior citizen and she is 67 years of age. The Applicant Piyus Kanti and Brajesh Kumar are the brothers of Praveen; who is the husband of the informant's daughter. He submitted that the applicants need a reasonable period to approach the competent Court in Uttar Pradesh to seek appropriate remedy U/s.438 of the Cr.p.c. On merits, he submitted that the F.I.R. is lodged about the alleged demand of dowry. He submitted that the marriage took place on 12.02.2023 and the F.I.R. itself mentions that the informant's daughter had left the company of her husband Praveen from 02.03.2023. Thus, there was a co-habitation of not even 20

days. There is no mention of any particular incident inviting the allegations U/s.498-A of the I.P.C. The allegations of the demand of dowry are not true.

4. At this stage, it would not be proper to comment on merits of the matter. Ultimately, the applicants will have to obtain appropriate relief from the competent court at Uttar Pradesh. However, for the purpose of transit anticipatory bail, the applicants have made out a case for grant of relief for a limited period. In this circumstance, the applicants can be protected for a period of three weeks; ensuring their presence.

5. Hence, the following order.

ORDER

- i) In the event of their arrest in connection with C.R.No.9 of 2024, registered at Gaziabad Mahila Police Station, Uttar Pradesh, for a period of three weeks from today, the Applicants are directed to be released on bail on their executing P. R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.

- ii) The Applicants shall deposit their passports, if any, with the nearest police station subject to further orders from the competent Court in Uttar Pradesh.
- iii) This order shall operate for a period of three weeks from today.
- iv) Both the applications are disposed of.

(SARANG V. KOTWAL, J.)