

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

ANTICIPATORY BAIL APPLICATION NO. 1351 OF 2023

Sapna Tanaji Jadhav

..Applicant

Versus

The State of Maharashtra

..Respondents

Ms. Saisha Pisal i/b. Mr. Vaibhav R. Gaikwad for Applicant.

Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 20 MARCH 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 231 of 2023 registered at Islampur Police Station, Sangli, on 30.03.2023, under sections 384, 388, 504 and 506 of the Indian Penal Code.

2. Heard Ms. Saisha Pisal, learned counsel for the applicant and Ms. Mahalakshmi Ganapathy, learned APP for the State.

3. The F.I.R. is lodged by one Swapnil Mane. He is working with Zilla Parishad, Sangli. He wanted to get married and,

therefore, his family was looking for a suitable bride for him. One Amol Koli suggested the applicant's name for marriage with the informant. On 07.08.2022, the informant's family, Amol and others went to the applicant's father's house. After initial talks, the informant told the applicant's father that he was agreeable for the marriage proposal. Thereafter the marriage was fixed. It was decided to have an engagement ceremony. During that time, the applicant and the informant were regularly in touch with each other through telephone and social media messages. The F.I.R., thereafter, goes on to mention different instances when the applicant and the informant had gone to purchase clothes and ornaments. During that time, there used to be some quarrels between both of them. It is the case of the informant that the applicant was demanding costly ornaments, money etc. He had spent certain amounts for that purpose.

4. On 26.12.2022, the engagement ceremony took place. On 31.12.2022, the applicant demanded Rs.1,50,000/- from the informant to purchase a car. The informant declined. On 02.01.2023, the applicant asked for Rs.15,000/- for shopping, but

the informant again declined. On 04.01.2023, they purchased the gold. On 10.01.2023, the informant wanted to change his engagement ring as it was tight. Both of them went to Kolhapur on 16.01.2023. In the jewellery shop, the applicant liked two necklaces worth Rs.8 lakhs. She wanted the informant to buy those for her. He again declined. The applicant got angry. There are allegations that, after that also the applicant was asking for Rs.7,50,000/-. It is his case that, on his refusal, she threatened him to implicate him in a false case. On 20.01.2023, both the families met. The applicant declared that, she did not want to marry informant. On 10.02.2023, both the families executed an MoU of cancellation of marriage; which was to take place. The informant paid Rs.75000/- as the amount which was spent by the applicant's father at the time of engagement ceremony. It is alleged that the applicant had demanded Rs.7,50,000/- and if it was not paid, she threatened to lodge a false complaint against him. On this basis the F.I.R. was lodged.

5. Learned counsel for the applicant submitted that the applicant herself had lodged her own F.I.R. vide the C.R.No.228 of

2023, at Islampur police station on 29.03.2023, under sections 376, 354-A(1)(i), 323, 504 and 506 r/w. 34 of the I.P.C. She submitted that, it is clear that the offence against the applicant is lodged as a counter blast to that F.I.R.; subsequently on the next day. All the allegations in the F.I.R. are false.

6. Learned APP produced the investigation papers before the Court. The investigation papers contain statements, of the applicant's sister, the informant's mother, the mediator Amol etc. All of them have referred to the quarrels between the informant and the applicant. They have stated about the acceptance of the proposal and eventual break up.

7. I have considered these submissions. As submitted by the learned counsel for the applicant, there is an F.I.R. lodged by the applicant on the previous day. There appears to be an element of bad blood between the applicant and the informant. Both of them have lodged the F.I.Rs. against each other. As submitted by the learned counsel, the informant in this case is already on anticipatory bail in the F.I.R. lodged by the applicant. It appears to

be a dispute between the informant and the applicant regarding their proposed marriage and eventual break up. In this background, custodial interrogation of the applicant will not serve any purpose. It is not necessary. The applicant can be protected U/s.438 of the Cr.p.c.

8. Hence, the following order :

ORDER

- i) In the event of her arrest in connection with C.R.No. 231 of 2023 registered at Islampur Police Station, Sangli, the applicant is directed to be released on bail on her executing P. R. 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 co-operate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)