

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

ANTICIPATORY BAIL APPLICATION NO. 1188 OF 2024

1. Dr. Ameet Kasturilal Luthrra,
2. Kasturilal Sardarilal Luthrra. ..Applicants

Versus

The State of Maharashtra ..Respondents

**WITH
INTERIM APPLICATION NO. 1910 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO. 1188 OF 2024**

Dr. Surbhi Bhatia ..Intervenor.

In the matter between:

Dr. Ameet Kasturilal Luthrra & Anr. ..Applicants

Versus

The State of Maharashtra ..Respondents

Mr. Viswajeet P. Sawant, Sr. Advocate a/w. Prabhakar M. Jadhav
a/w. A. P. Mahadik for Applicants.

Ms. Poonam P. Bhosale, APP for State/Respondent.

Ms. Anima Mishra a/w. Akshay Mishra i/b. Hulyalkar and
Associates for Intervenor.

**CORAM : SARANG V. KOTWAL, J.
DATE : 3 MAY 2024**

PC. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.165 of 2024 registered at Vimantal (Airport) Police Station, Pune city, on 08.04.2024, under sections 354, 323, 427, 504 and 506(II) r/w. 34 of the Indian Penal Code.
2. Heard Mr. Viswajeet Sawant, learned senior counsel for the applicants, Ms. Poonam Bhosale, learned APP for the State and Ms. Anima Mishra, learned counsel for the Intervenor.
3. At the outset, learned counsel for the applicants, as well as, learned counsel for the Intervenor jointly state that the applicants' anticipatory bail application is still pending before the court of Additional Sessions Judge, Pune. It is filed as Criminal Bail Application No.2302 of 2024. However, the application for interim relief filed at Exhibit-4 was rejected by the learned Judge vide the order dated 20.04.2024.
4. The F.I.R. is lodged by the wife of the applicant No.1. The applicant No.2 is father of the Applicant No.1 and father-in-law of the first informant. The F.I.R. is in respect of three incidents

dated 27.03.2024, on which day it is alleged that the applicant No.1 had tried to throttle her and the informant's brother was also assaulted. The next incident is dated 04.04.2024 when the applicant No.2 allegedly touched the informant inappropriately. The third incident is dated 05.04.2024 when the Applicant No.1 allegedly went to the informant's Life Care Healthcare and had abused the employees of that office. On these allegations the F.I.R. was lodged.

5. Learned senior counsel for the applicants made certain submissions on the nature of dispute.

6. However, at this stage, it would not be proper to observe anything on these submissions because the anticipatory bail application of the applicants is pending before the court of Sessions, Pune. The interim application of the applicants is rejected on 20.04.2024 and the next date is 06.05.2024. Thus, for this interim period, the applicants are without protection. Since the application for anticipatory bail is pending, the learned Judge can either reject or grant that bail application finally. In this case, it

would be appropriate if the applicants are protected till the said application is decided; otherwise, their application would become infructuous and would be rendered meaningless.

7. Considering this situation, the following order is passed:

ORDER

- i) In the event of their arrest in connection with C.R.No.165 of 2024 registered at Vimantal (Airport) Police Station, Pune city, till the Criminal Bail Application No.2302 of 2024 is decided by the Additional Sessions Judge, Pune, 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 each Only) with one or two sureties each in the like amount.
- ii) With this observation the anticipatory bail application, as well as, the interim application are disposed of.

(SARANG V. KOTWAL, J.)