

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2999 OF 2024**

Anand Kashinath Kali	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Vishwanath Patil for applicant.

Mr. Balraj B. Kulkarni, APP for respondent-State.

Mr. Ashish Pawar, PSI, Narpoli Police Station, District Thane City.

**CORAM : MANISH PITALE, J.
DATE : 14th OCTOBER, 2024**

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. This application was taken up high on board on being mentioned last week, for the reason that the informant herein appeared before the Court and expressed her desire to give her consent for the application being allowed.

3. The applicant was arrested on 17.06.2024 in connection with FIR No.1255 of 2024 of the same date, registered at Narpoli Police Station, District Thane City, for offences under Sections 313, 498-A, 323, 504 and 506 of the Indian Penal Code, 1860. The applicant has remained incarcerated since the date of his arrest.

4. The learned counsel for the applicant submitted that the FIR was registered due to difference of opinion between the applicant and the

informant, who, as per the statement made in the FIR, got married on 12.11.2023 in a temple. The applicant is working in a garage and the informant is working as Assistant Manager in Axis Bank, Thane.

5. Perhaps due to the glaring difference in the status of the two families, differences arose, leading to the informant approaching the police and consequent registration of FIR.

6. Today, the informant is present in Court. She has tendered an affidavit dated 11.10.2024 alongwith photocopy of her aadhar card. The original aadhar card is also produced for confirming her identity.

7. This Court is satisfied that the aforesaid affidavit is sworn by the informant herself i.e. Shivani Dahiphale. The same is taken on record.

8. In the affidavit, the informant has clearly stated that there were several meetings between the elders of the two families and now, the misunderstanding has been cleared and consequently, the informant desires to withdraw the FIR.

9. The contents of the affidavit also show that she has given her unconditional and unequivocal consent for allowing the present application as well as quashing of the FIR, for which proceedings may perhaps be undertaken in future.

10. The learned APP submitted that in such cases, this Court has been directing the parties to deposit costs, as the time of the investigating machinery as well as the Court has been wasted, due to personal differences of such individuals.

11. This Court would have imposed costs, but for the fact that the act of the informant appears to be immature and it is an admitted fact that the applicant herein is working in a garage. Considering his financial status, this Court is not inclined to impose costs.

12. In the light of the affidavit taken on record today, the application is allowed in the following terms:

- (i) The applicant shall be released on bail in connection with FIR No.1255 of 2024 dated 17.06.2024, registered at Narpoli Police Station, District Thane City, on furnishing PR Bond of ₹ 10,000/- and one or two sureties in the like amount to the satisfaction of the trial Court.
- (ii) Upon release, within one week, the applicant shall inform the Investigating Officer as well as the trial court about his contact number and residential address and update the same in case of any change.
- (iii) The applicant shall co-operate with the trial Court.
- (iv) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not undertake any action that may influence the informant, witnesses and other persons concerned with the case.

13. The applicant shall be liable to face proceedings for cancellation of bail, in the event any of the aforesaid conditions are violated.

14. It is also clarified that the observations made in this order are limited to the disposal of the present application and the trial court shall proceed further in the matter without being influenced by the observations made hereinabove.

15. The application is disposed of.

(MANISH PITALE, J)