

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 522 OF 2024

Tirth Jagdischandra Rawal

.... Applicant

Versus

The State of Maharashtra

.... Respondent

YUGANDHARA
SHARAD
PATIL

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Mr. Shailendra Mishra, Prem Tanna, Mr. Elgton George, Ritika Chamaria, for the applicant.

Ms. Rajshree V. Newton, APP for the State/Respondent.

Ms. Arti Tirth Rawal, 1st informant present in the Court.

CORAM :SARANG V. KOTWAL, J.

DATE : 26th FEBRUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R. No. 3 of 2024 registered at Borivali Police Station on 3/1/2024 under sections 323, 406, 498-A, 504 r/w 34 of the Indian Penal Code.

2. Heard Mr. Shailendra Mishra, learned counsel for the Applicant and Ms. Newton, learned APP for the Respondent-State.

3. The first informant is present in the Court. She submitted through the learned APP that she wants assistance of a legal aid counsel. She also made a statement that she wants her passport, streedhan and important documents which are with the Applicant to be returned to her.

4. Learned counsel for the Applicant makes a statement that the Applicant shall hand over streedhan which is with him to the informant. The informant is expected to give a list of the same. He also submits that whatever documents are available with him, those documents will be returned to the informant. As far as passport is concerned, learned counsel does not have any instructions about the same.

5. The gist of the FIR is that the informant got married with the applicant on 21/04/2015. It was a love marriage. After a few days of marriage, there was ill treatment. It is her case that, the applicant on the instigation of other family members, used to beat her. He did not pay any attention to her needs. Therefore, on

one occasion she had suffered miscarriage. It is her allegation that the Applicant has extra marital affair and there are allegations that the aforesaid articles and documents are lying with the Applicant which are not returned.

6. Considering these submissions and in the background of the allegations made in the FIR, for the time being the Applicant can be protected. Hence the following order.

ORDER

- (i) Learned counsel for the Applicant shall add the first informant as a party Respondent. Amendment shall be carried out forthwith.
- (ii) Issue notice to the added Respondent who is present in the Court. She waives service of notice. Learned counsel for the Applicant shall hand over copy of the application to the informant.
- (iii) The Legal Services Authority of this Court is requested to appoint a advocate from their Panel to represent the first informant in this case.

- (iv) In the event of his arrest in connection with C.R. No.3/2024, registered at Borivali Police Station, till the next date, the Applicant is directed to be released on bail on his executing P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (v) The applicant shall attend the concerned Police Station on 12th , 13th and 14th March 2024, between 1.00 p.m. to 4.00 p.m. and shall co-operate with the investigation.
- (vi) This order shall operate till 05/04/2024.
- (vii) Stand over to 05/04/2024.

(SARANG V. KOTWAL, J.)