

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

ANTICIPATORY BAIL APPLICATION NO.1112 OF 2024

1) Valmik Jagannath Wagh

2) Priya More Wagh
versus

...Applicants

The State of Maharashtra

.... Respondent

Mr. Mohd. Farhan Khan(Appeared through V. C.) i/b Meghna Gavhane for the Applicants.

Mr. C. D. Mali, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 26th APRIL, 2024**

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C. R. No.1052 of 2023 registered with Barshi City Police Station on 6th December 2023 under Sections 170, 376 (2)(n), 377, 420, 468, 498-A, 504, 506, read with 34 of the IPC.
2. Heard, Mr. Mohd. Farhan Khan for the Applicants and Mr. C. D. Mali, learned APP for the State.

3. At the outset, the learned APP is seeking adjournment. Therefore I am adjourning the matter. I have heard the parties for consideration for ad-interim relief.
4. The FIR is lodged by the wife of the present Applicant No.1. She was 21 years of age. She has stated that she was working as a receptionist in a hotel. The Applicant No.1 came to that hotel to meet the owner. At that time, the informant met him for the first time. The Applicant No.1 told her that he was working with the Anti-corruption Bureau as Additional S.P. and he was posted at Pashan. He showed his identification card. He further told that he was also looking after a finance company at Kothrud. He gave his phone number to the informant. After that he kept in touch. He also gave her a job in his company, but she never visited his office and used to work from outside. It is alleged that in December 2021, the Applicant No.1 told her that the he liked her and he wanted to marry her. He proposed to her for marriage. Initially, the informant refused but at his constant insistence she told about his proposal to her mother. After that, both the families met and the marriage was fixed. The Applicant

No.2 was staying with the applicant No.1's family. The informant was told by the applicant No.1's family, that the Applicant No.2 was the widow of his deceased friend and that he had promised to look after the Applicant No.2 and her two children. The marriage took place on 24th February 2023. After that the informant and the Applicant No.1 started staying at Pune on rent. The Applicant No.1 used to leave for his job in the morning and used to return at about 11.00 O'clock. Further allegations in the FIR are in respect of their physical relations, and other allegations are about the offences under Section 377 of the IPC. It is further alleged that the Applicant No.1 and his family started harassing her. It is alleged that the Applicant No.2 also started harassing her. The Applicant No.1 told the informant that the Applicant No.2 was his wife. Informant went to Barshi, she constantly received calls from unknown persons from whom, the Applicant No.1 had borrowed money. The informant got suspicious about the nature of his job. She made inquiry and came to know that the Applicant No.1 was not attached to the Anti Corruption Bureau Pune. She realized that she was cheated

and on these allegations the FIR is lodged.

5. Learned counsel for the Applicants submitted that the allegations in the FIR are not true. It is unbelievable that the informant would have married the Applicant No.1 without making proper inquiry. The marriage was performed after both the families had met and had approved of each other. Her story about the applicant No.1 giving her a job and she not visiting the office is also difficult to believe. Once, the Applicant No.1 had given her a job, it was very easy for the informant to have found out his actual occupation. He submitted all this shows that a false case is lodged against the Applicants after the relations had become bad.
6. It is further alleged in the FIR that the Applicant No.1 had already got married on two previous occasions and informant was his third wife. In that behalf, the learned counsel submitted that the informant was very well aware about the fact that Applicant No.1 was already married to the Applicant No.2. He has a recording to prove this fact. He requested for a chance to produce this record before the Police. Considering this

request; to give him one chance to support his submissions before the Court today, the Applicants can be protected by way of ad-interim relief.

7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R. No. 1052 of 2023 registered at Barshi City Police Station, Solapur, till the next date, the Applicants be released on bail on their executing P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each with one or two sureties each in the like amount.
- (ii) The Applicants shall attend the concerned Police Station on 13th May 2024, 14th May 2023 and 15th May 2024 between 1.00 p.m. to 5.00 p.m. and thereafter as and when called.
- (iii) The Applicants shall not cause any harassment to the informant.
- (iv) If the Applicants do not co-operate with the investigation, the Investigating Agency is at liberty to make an application for vacating the

ad-interim relief.

- (v) This order shall operate till 25th June 2024.
- (vi) The Applicants shall cooperate with the investigation.
- (vii) Stand over to 25th June 2024.

(SARANG V. KOTWAL, J.)