

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

ANTICIPATORY BAIL APPLICATION NO. 1599 OF 2024

Mohsin Rajjak Sayyad	...	Applicant
Versus		
The State of Maharashtra & Anr.	...	Respondents

Mr. Tapan Thatte for the Applicant.
Mr. Babu V. Holambe-Patil, APP for Respondent-State.

CORAM: MANISH PITALE, J.
DATE : 20th JUNE 2024

P.C. :

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

2. The applicant in the present case is the husband of the informant and the FIR is registered against him and his family members i.e. the two other co-accused persons, for offences under Sections 307, 324, 498-A and 506 read with 34 of the Indian Penal Code, 1860 (IPC).

3. Although there are serious allegations made against the applicant before this Court, it is the case of the applicant that the informant caused the FIR to be registered after about four days of the alleged incident, due to matrimonial dispute and in a fit of rage. It is brought to the notice of this Court that the other co-accused persons have already been granted anticipatory bail by the Sessions Court.

4. Additionally, attention of this Court is invited to Exhibit 'C', which is copy of '*khulanama*' signed by the applicant and informant. In paragraph 4 of the said document, the informant has stated that she caused the FIR to be registered in a fit of rage and on the basis of petty dispute between the parties.

5. In the light of the aforesaid document having been executed between the parties about one year after the registration of the FIR, it would be appropriate that the informant is added as a party to the present application and notice is issued to her.

6. In the light of the peculiar circumstances where this Court has gathered the impression that the FIR has been registered in the backdrop of matrimonial dispute between the applicant and his wife i.e. the informant, a case for interim relief is made out.

7. The applicant is directed to add the informant as respondent No.2. Amendment be carried out forthwith.

8. Issue notice to newly added respondent No.2, returnable on **9th July 2024**.

9. In the meanwhile, the following interim order is passed :

(a) In the event the applicant is arrested in connection with FIR No.0178 of 2021 dated 14th May 2021 registered at Miraj Gramin Police Station, Sangli, for the

offences under Sections 307, 324, 498-A and 506 read with 34 of the (IPC), he shall be released on bail on furnishing PR Bond of Rs.25,000/- and one or two sureties in the like amount.

(b) The applicant shall cooperate with the Investigating Officer during the course of investigation.

10. List for further consideration on 9th July 2024 (High On Board).

MANISH PITALE, J.