

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1681 OF 2024

Sanket @ Satyam s/o. Laxmikant Mundlik ... Applicant
Vs.
State of Maharashtra and others ... Respondents

Mr. Siddheshwar S. Thombre a/w. Ms. Sakshi Thombre for Applicant.
Mr. Mayur S. Sonavane, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : JUNE 27, 2024

P.C. :

. Heard Mr. Thombre, learned counsel for the applicant and Mr. Sonavane, learned APP for the respondent-State.

2. The applicant has approached this Court apprehending arrest in connection with FIR No.0117 of 2024 dated 23.03.2024 registered in Warje Malwadi Police Station, District - Pune, for offences under Sections 323, 324, 366, 504 and 506 of the Indian Penal Code, 1860 (IPC).

3. The informant, in the present case, has described in detail as to the manner in which she was harassed and ill-treated by the applicant, leading to registration of the FIR.

4. At the outset, the learned counsel for the applicant submits that the applicant and the informant were in a relationship and due to differences and misunderstanding, the FIR came to be registered. This Court is informed that the applicant and the informant have settled their dispute and that a petition for quashing of the FIR has been filed yesterday before this Court bearing e-filing No.EC-HCBM01-06299-

2024.

5. It is submitted that since this is a recent development, it could not be stated in the present application, which was filed on 10.06.2024.

6. The learned counsel for the applicant submits that the applicant is ready to co-operate with the investigation and this Court may show indulgence.

7. On the other hand, the learned APP submits that even in the statement of the informant recorded under Section 164 of the Code of Criminal Procedure, 1973, she has stuck to her version and there is nothing to indicate that she has expressed any desire not to support the case of the prosecution. It is further submitted that the applicant has not been co-operating and the investigating officer requires to collect the mobile and the vehicle that was used in the incident in question.

8. Considering the specific statement made on behalf of the applicant that the applicant and the informant were in a relationship and that now, the dispute between them is settled, it would be appropriate that the informant be made party respondent in the present application. This would assist this Court in ascertaining the aforesaid contention raised on behalf of the applicant. Therefore, while keeping the present application pending, this Court is inclined to grant interim relief, subject to the applicant co-operating with the investigation.

9. In view of the above, the applicant is directed to add the informant as party respondent No.3. The amendment be carried out forthwith.

10. Issue notice to the respondent No.3 (informant), returnable on 09.07.2024.

11. Respondent No.3 shall be served through the investigating officer and for that purpose, the applicant shall provide an additional set of papers to the investigating officer. Liberty to the applicant to serve the respondent No.3 by way of private service and to file an affidavit of service.

12. In the meanwhile, the following interim order is passed:-

- A. Till the next date, in the event the applicant is arrested in connection with FIR No.0117 of 2024 dated 23.03.2024 registered in Warje Malwadi Police Station, District - Pune, he shall be released on bail on furnishing PR Bond of Rs.50,000/- (Rupees Fifty Thousand only) with one or two sureties in the like amount to the satisfaction of the trial Court;
- B. The applicant shall remain present before the investigating officer on 01.07.2024 between 10:00 a.m. and 12 noon and thereafter, as and when called by the investigating officer. He shall surrender his mobile with the investigating officer;
- C. The applicant shall co-operate with the investigation;
- D. The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

13. In case any of the aforesaid conditions are violated, the present order would be liable to be cancelled.

14. List for further consideration on 09.07.2024.

(MANISH PITALE, J.)