

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

Anticipatory Bail Application No.1831 of 2024

Anmol Arun Jaisinghani
Age 28 years, Occ: Business
An Adult, Indian Inhabitant,
residing at A/5,
Basant Vihar Colony, Vijay Nagar,
Indore, Madhya Pradesh Applicant.

Vs.

The State of Maharashtra
(through the Sr.Inspector of Police
Malad Station, Mumbai. Respondent.

Mr Aditya Mithe a/w Mahesh Govalkar i/by Sinighania Legal
Services for the applicant.
Ms Anuja Gotad, APP for Respondent/State.
PSI Sudhir Korgaonkar, Malad Police Station, Mumbai, is present.

Coram : R.N.Laddha, J.
Date : 5 July 2024.

P.C. :

Heard Mr Aditya Mithe, the learned Counsel appearing on
behalf of the applicant, and Ms Anuja Gotad, the learned
Additional Public Prosecutor, representing the respondent/State.

2. This is an application for pre-arrest bail filed by the applicant,
apprehending arrest in CR No.468 of 2024, registered at Malad

Police Station, Mumbai, for the offences punishable under Sections 498-A, 377, 406, 323, 504, 506 read with Section 34 of the Indian Penal Code, and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. The informant lodged the report stating that her marriage to the applicant took place on 19.04.2022. After the marriage, she lived with her husband and in-laws. During her stay, her husband (the applicant) and in-laws conspired to demand dowry and other items, including a BMW car. They subjected her to mental and physical cruelty, verbally abusing and ill-treating her. Furthermore, it is alleged that when she attempted to prevent her husband and brother-in-law from using drugs, they assaulted her. Additionally, her husband engaged in unnatural intercourse with her and did not return her 'Stridhan' worth Rs.59,31,000/-.

4. Mr Aditya Mithe, the learned Counsel appearing on behalf of the applicant, submits that the marriage of the applicant and the informant was solemnised on 19.04.2022. However, the informant left the matrimonial home in December 2022 and did not return. The FIR lacks specific allegations to establish a *prima facie* case against the applicant/accused. After two years of marriage, the claim of dowry demand is baseless and fabricated. Furthermore, the allegation of unnatural intercourse is intended solely to harass the

applicant. The learned Counsel emphasises that the applicant is ready to cooperate with the investigation.

5. On the other hand, the learned APP contends that there is sufficient material to show the applicant's involvement in the present crime. The applicant, who is the husband of the informant, subjected her to cruelty and harassment. The applicant engaged in unnatural sexual intercourse with the informant and also did not return her 'Stridhan'.

6. From the perusal of the material on record, it becomes evident that the applicant's marriage with the informant was beset with matrimonial discord. The informant alleged that the applicant abused, assaulted and humiliated her, relieved her of all ornaments/'Stridhan' and also engaged in unnatural sexual intercourse with her. The material on record indicates the applicant's involvement in the present crime. In the backdrop of aforesaid allegations, a *prima facie* case can be said to have been made out against the applicant.

7. In light of the above, the application stands rejected.

[R. N. Laddha,J.]