

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

ANTICIPATORY BAIL APPLICATION NO. 2059 OF 2024

1. Manish Dharamraj Dubey		
2. Dharamraj Ramshiroman Dubey		
3. Pramila Dharamraj Dubey	...	Applicants
Versus		
The State of Maharashtra	...	Respondent

Mr. Sumeet Jalgaonkar for the Applicant.
Mr. Balraj B. Kulkarni, APP for Respondent-State.
Mr. Dattatray D. Wane, PSI, Khandeshwar Police Station.

**CORAM: MANISH PITALE, J.
DATE : 13th AUGUST 2024**

P.C. :

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

2. The applicants are apprehending arrest in connection with FIR No. 0169 of 2024 dated 15th June 2024 registered at Khandeshwar Police Station, Dist. Navi Mumbai, for offences under Sections 420, 498-A, 323, 504 and 506 read with 34 of the Indian Penal Code, 1860 (IPC).

3. The informant is a lady, who has alleged that the applicants duped her into marrying applicant No.1, despite the fact that the applicant No.1 was already a married person. It is specifically alleged that on the profile maintained on the website Shaadi.com,

the marital status of the applicant No.1 was stated to be “never married”. On the basis of such a false representation made by the applicants, the informant was duped into marrying the applicant No.1, she later discovered the truth and she was constrained to approach the Police.

4. The learned counsel for the applicants submits that the existence of the marital status as “never married” on website Shaadi.com can be explained because it was a status entered into prior in point of time. It is further submitted that the first person with whom the applicant No.1 was married, lived in the matrimonial house hardly for two months and that too in the year 2017. It is further submitted that the applicant No.1 and the aforesaid person with whom the first marriage was contracted, are mutually agreeable to go their separate ways.

5. The learned APP submits that, as matter of fact, there is no divorce decree in the present case. The first wife of the applicant No.1 has given her statement during the course of investigation. Her statement under Section 164 of the Code of Criminal Procedure, 1973 (Cr.P.C.) is also recorded, wherein she reiterated that she was married to the applicant No.1 and that a maintenance case is pending.

6. This Court has considered the investigation papers and the allegations specifically made by the informant in her statement, which led to registration of the FIR. Considering the material on

record, particularly the fact that the marital status of applicant No.1 was stated as “never married” on the website Shaadi.com, clearly indicates that from the very beginning, the applicants acted in a manner, so as to induce the informant into marrying the applicant No.1. *Prima facie*, ingredients under Section 420 of the IPC are made out.

7. The statement of the first wife of the applicant No.1 clearly indicates that the marriage is still subsisting and despite the aforesaid state of affairs, the applicant No.1 married the informant. The applicants No.2 and 3 being the parents of the applicant No.1, not only suppressed the marital status of the applicant No.1, but they also attended the marriage between the applicant No.1 and the informant, thereby indicating *prima facie* case against them also.

8. No case is made out for granting anticipatory bail. The application is dismissed.

MANISH PITALE, J.